

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CISCO SYSTEMS, INC. and SCIENTIFIC
ATLANTA, INC., ARRIS GROUP, INC.,
and THOMSON, INC.,

Plaintiffs,

v.

GPNE CORP.,

Defendant.

C.A. No. 07-671 (SLR)

**REDACTED –
PUBLIC VERSION**

**DECLARATION OF WILLIAM J. MARSDEN, JR.
IN SUPPORT OF PLAINTIFFS' ANSWERING BRIEF
IN OPPOSITION TO DEFENDANT'S MOTION TO TRANSFER**

MORRIS, NICHOLS, ARSHT & TUNNELL LLP
Jack B. Blumenfeld (#1014)
Karen Jacobs Loudon (#2881)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
klouden@mnat.com

FISH & RICHARDSON P.C.
William J. Marsden, Jr. (#2247)
919 North Market Street
Suite 1100
P.O. Box 1114
Wilmington, DE 19899
(302) 778-8401
marsden@fr.com

*Attorneys for Plaintiffs
Cisco Systems, Inc., Scientific-Atlanta, Inc.,
ARRIS Group, Inc. and Thomson, Inc.*

Original Filing Date: February 7, 2008

Redacted Filing Date: March 3, 2008

I, William J. Marsden, Jr. declare as follows:

1. I am a Principal with Fish & Richardson P.C., counsel for Plaintiffs Cisco Systems, Inc., Scientific Atlanta, Inc., Arris Group, Inc., and Thomson, Inc., (collectively "Plaintiffs"). I make the following statements based on personal knowledge, except where noted.

2. Attached to this Declaration as Exhibit A is a true and accurate copy of a printout of an internet web page entitled "Arris Group Inc (ARRS.O) Full Description," available online at <http://stocks.us.reuters.com/stocks/fullDescription.asp?rpc=66&symbol=ARRS.O> (last accessed February 5, 2008).

3. Attached to this Declaration as Exhibit B is a true and accurate copy of a printout of an internet web page entitled "Thomson (TMS) Full Description," available online at <http://stocks.us.reuters.com/stocks/fullDescription.asp?rpc=66&symbol=TMS> (last accessed February 5, 2008).

4. Attached to this Declaration as Exhibit C is a true and accurate copy of a printout of an internet web page entitled "Cisco Systems Inc (CSCO.O) Full Description," available online at <http://stocks.us.reuters.com/stocks/fullDescription.asp?rpc=66&symbol=CSCO.O> (last accessed February 5, 2008).

5. Attached to this Declaration as Exhibit D is a true and accurate copy of a printout of an internet web page entitled "Scientific Atlanta, A Cisco Company: About Us," available online at <http://www.scientificatlanta.com/aboutus/index.htm> (last accessed February 5, 2008).

6. Attached to this Declaration as Exhibit E is a true and accurate copy of a printout of the Dun & Bradstreet (D&B) Report of GPNE Corp.

7. Attached to this Declaration as Exhibit F is a true and accurate copy of a printout of an internet web page showing the availability of non-stop flights from Honolulu, Hawaii to Newark, New Jersey on Continental Airlines, available at <http://www.continental.com/web/en-US/apps/booking/flight/searchResult1.aspx?SID=43F52E64E2AF477FAA724DA0F5778920> (last accessed February 5, 2008).

8. Attached to this Declaration as Exhibit G is a true and accurate copy of a printout of an internet web page showing the distance between the Dallas International Airport and the Eastern District of Texas, Marshall Division, available at <http://maps.google.com/maps?ie=UTF-8&hl=en&tab=wl> (last accessed February 5, 2008).

9. Attached to this Declaration as Exhibit H is a true and accurate copy of a printout of an internet web page showing the distance between the Bush Intercontinental Airport in Houston, Texas and the Eastern District of Texas, Marshall Division, available at <http://www.randmcnally.com/rmc/directions/dirGetDirections.jsp?cmtty=0¬cache=1> (last accessed February 5, 2008).

10. Attached to this Declaration as Exhibit I is a true and accurate copy of a printout of an internet web page showing the distance between the Newark International Airport and the District of Delaware, available at <http://maps.google.com/maps?f=d&hl=en&geocode=&saddr=newark+liberty+international+airport&daddr=844+king+street+wilmington+de+19801&sl=37.0625,-95.677068&sspn=48.956293,86.396484&ie=UTF8&z=9&om=0&pw=2> (last accessed February 5, 2008).

11. Attached to this Declaration as Exhibit J is a true and accurate copy of a printout of an internet web page showing the distance between the Philadelphia International Airport and the United States District Court for the District of Delaware, available at <http://www.randmcnally.com/rmc/directions/dirGetDirections.jsp?cmtty=0¬cache=> (last accessed February 5, 2008).

12. Attached to this Declaration as Exhibit K is a true and accurate copy of a printout of an internet web page entitled "Top 50 Busiest U.S. Airports for 2007 – All Airports," available at http://www.faa.gov/news/updates/busiest_airports/index.cfm?airportType=All&year=2007 (last accessed February 5, 2008).

13. Attached to this Declaration as Exhibit L is a true and accurate copy of a printout of an internet web page entitled "Philadelphia International Airport Information," available at <http://www.philadelphia-phl.com/airlines.html> (last accessed February 5, 2008).

14. Attached to this Declaration as Exhibit M is a true and accurate copy of a printout of the Civil Docket for Case #: 6:07-cv-00060-LED, previously referred to as the Texas DOCSIS litigation.

15. Attached to this Declaration as Exhibit N is a true and accurate copy of a printout of the Civil Docket for Case #: 6:07-cv-59, previously referred to as the Texas GPRS litigation.

16. Attached to this Declaration as Exhibit O is a true and accurate copy of a printout of an internet web page entitled "Federal Court Management Statistics," available at <http://www.uscourts.gov/cgi-bin/cmsd2006.pl> (last accessed February 7, 2008).

17. Attached to this Declaration as Exhibit P is a true and accurate copy of the Docket Control Order entered by Judge Davis of the United States District Court for the Eastern District of Texas on October 24, 2007, for the case of *Marvell Semiconductor et al v. Commonwealth Scientific and Industrial Research Organisation* (6:07cv204f).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 7th day of February, 2008, at Wilmington, Delaware.

/s/ William J. Marsden, Jr.
William J. Marsden, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2008 I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to:

Richard K. Herrmann
MORRIS JAMES LLP

I further certify that I caused to be served copies of the foregoing document on March 3, 2008 upon the following in the manner indicated:

Richard K. Herrmann
MORRIS JAMES LLP
500 Delaware Avenue, Suite 1500
P.O. Box 2306
Wilmington, DE 19899-2306
(302) 888-6800

VIA ELECTRONIC MAIL

Edward W. Goldstein
Corby R. Vowell
GOLDSTEIN, FAUCETT & PREBEG, LLP
1177 West Loop South, Suite 400
Houston, TX 77027
(713) 877-1515

/s/ Karen Jacobs Louden (#2881)

klouden@mnat.com (#2881)

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Full Description

Arris Group Inc ARRS.O (NASDAQ)

Sector: [Technology](#) **Industry:** [Communications Equipment](#) [View ARRS.O on other exchanges](#)

As of 3:02 PM EST	Price Change	Percent Change
\$9.09 USD	▲0.08	▲0.89%

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ARRIS Group, Inc. (ARRIS) is a global communications technology company specializing in the design and engineering of equipment for broadband networks. The Company develops, manufactures and supplies cable telephony, video and high-speed data equipment, as well as outside plant construction and maintenance equipment for multiple systems operators (MSOs). ARRIS provides products and equipment principally to the cable television market and specifically to MSOs on a worldwide basis. The Company's products allow MSOs and broadband service providers to deliver a range of integrated voice, video and high speed data services to their subscribers. In addition, ARRIS is a supplier of infrastructure products used by cable system operators in the build-out and maintenance of hybrid fiber-coaxial (HFC) networks. The Company provide cable system operators with a product offering for the headend, distribution network and subscriber premises. In December 2007, ARRIS completed its acquisition of C-COR Inc.

ARRIS divides its product offerings into two categories: broadband, and supplies and customer premises equipment (CPE). Broadband consist of voice-over-Internet protocol (VoIP) telephony products, including cable modem termination system (CMTS); high-speed data products, including CMTS; video/Internet protocol (IP) headend products and constant bit rate (CBR) telephony products. Supplies and CPE include infrastructure products for fiber optic or coaxial networks built under or above ground, including cable and strand, vaults, conduit, drop materials, tools, connectors and test equipment; VoIP telephony CPE, embedded multimedia terminal adapters (EMTA), and high-speed data CPE, cable modems. The Company's four largest customers are Comcast, Cox Communications, Liberty Media International and Time Warner Cable.

Video-Over-Internet Protocol and Data Products

A CMTS, along with a call agent, a gateway, and provisioning systems provide the ability to integrate the public switched telephone network (PSTN) and high-speed data services over a HFC network. The CMTS provides the software and hardware to allow IP traffic from the Internet, or traffic used in VoIP telephony, to be converted for use on HFC networks. The CMTS is also responsible for initializing and monitoring all cable modems and EMTAs connected to the HFC network. The Company provides two products: the C4 CMTS and the C3 CMTS, used in the cable operator's headend that provide VoIP and high-speed data services to residential or business subscribers.

Subscriber premises equipment includes DOCSIS 2.0 certified cable modems for high-speed data applications, as well as Euro-DOCSIS certified versions and PacketCable Certified EMTAs for VoIP applications in both DOCSIS and Euro-DOCSIS networks. The PacketCable solution builds on DOCSIS 2.0 and its quality of service enhancements to support lifeline telephony deployed over HFC networks. ARRIS' Touchstone product line provides carrier-grade performance to enable operators to provide all data, telephony and video services on the same network using common equipment. The Touchstone product line consists of the Touchstone CM550 series of cable modems and the Touchstone TM402 and TM502 series of telephony modems.

Video/Internet Protocol Products

The Company markets its Video/IP headend equipment under the D5 brand name. The first product for the headend is the D5 Universal Edge QAM. The D5 converts digital video and IP data into radio frequency signals that can be transmitted on the cable service providers' HFC plant. The D5 is compatible with DOCSIS 2.0 cable modems, as well as Moving Picture Experts Group, Standard No. 2 (MPEG-2) and Moving Picture Experts Group, Standard No. 4 (MPEG-4) set top boxes. It is a highly dense device with 48 channels in two rack units (3.5 inches) of rack space. The D5 Universal Edge QAM is suitable for service providers deploying video on demand and switched digital broadcast services where many unicast channels are required.

Constant Bit Rate Products

ARRIS offers a number of CBR products. These CBR products have included, for headend equipment, the Company's products under the brand name Cornerstone Voice, and for subscriber premises, its products marketed under the brand name Cornerstone Voice Port.

Cable Plant Infrastructure Products

The Company offers a variety of products that are used by MSOs to build and maintain their cable plants. ARRIS' products are complemented by its distribution infrastructure, which is focused on providing delivery of products from stocking or drop-ship locations. The Company's name-brand products are manufactured to its specifications by manufacturing partners. These products include taps, line passives, house passives and premises installation equipment marketed under ARRIS' Regal brand name, MONARCH aerial and underground plant construction products and enclosures, Digicon premium F-connectors, and FiberTel fiber optic connectivity devices and accessories. The Company also resells products from numerous supplier-partners, which include brands to small specialty manufacturers. Through its suppliers, ARRIS also supplies ancillary products, such as tools and safety equipment, testing devices and specialty electronics.

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Sector: [Consumer Cyclical](#) Industry: [Audio & Video Equipment](#) [View TMS on other exchanges](#)

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Price Change

Percent Change

\$12.23USD **▼0.57** **▼4.45%**

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Thomson provides technology, systems & equipment and services to Media & Entertainment (M&E) clients, including content creators and content distributors. Thomson is organized in three

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divisions representing its core business: Services, Systems, and Technology, with a fourth activity covering its Non-Core activities, Displays & consumer electronics (CE) Partnerships. The Services division offers end-to-end management of services for the Company's customers in the Media & Entertainment industries. The Systems division plays a key role at both ends of the Media & Entertainment distribution chain, interfacing with content makers through the provision of video-focused systems and equipment, such as television broadcast cameras and outside broadcast vans, on one end of the chain, and with network operators, retailers and end-consumers through sales of equipment, such as set-top boxes and service gateways, at the other end. The Technology division includes corporate research, licensing of patents and trademarks, silicon solutions, including integrated circuit (IC) design, tuners, and remotes, and software & technology solutions, including video and audio security solutions, and other technologies. In September 2007, the Company acquired SyncCast Corp., a wholesale distributor of online movies, music and other entertainment. In January 2008, the Company completed the sale of the non European branch of its audio-video and accessories activity, to Audiovox Corporation.

On January 13, 2006, Thomson acquired the network services business assets and liabilities of Electronic Data Systems, the company Convergent Media Systems (Convergent). On January 26, 2006, Thomson took the control of 94% of the share capital of Canopus Co., Ltd (Canopus) and On August 11, 2006, Thomson acquired the remaining 6% of the share capital. On June 23, 2006, Thomson acquired the remaining (16%) minority interests in the share capital of Nextamp SA, a French company specialized in the protection of video content with technologies known as watermarking. On July 3, 2006, Thomson acquired the 49% minority interest of VCF Thematiques (VCF). On October 4, 2006, Thomson acquired NOB Cross Media Facilities (NOB – CMF), a subsidiary of Nederlands Omroepproductie Bedrijf (NOB). In October 2006, Thomson reached an agreement with TCL Multimedia and the parent company of TTE and TCL Corporation. In November 2006, Thomson reduced its interest in TCL Multimedia from 29.32% to 19.32%, following the renegotiation of various agreements with TCL Multimedia and TTE and the release of the lock-up on Thomson's stake in TCL Multimedia.

On December 21, 2006, Thomson signed an agreement for the disposal of its accessories business in the United States outside of Europe with Audiovox Corporation. The closing of the transaction was finalized on January 29, 2007. On January 11, 2007, Thomson acquired the minority interests in Technicolor Universal Media Services LLC of America. On January 16, 2007, Thomson finalized the acquisition of the 22% minority interest of Technicolor Network Services UK Limited. On February 13, 2007, Thomson acquired 51% interest in Paprikaas Interactive Services Pty Limited, an Indian animation and gaming cinematics firm.



Services

Services division represented 42.5% of net revenues during the year ended December 31, 2006. Thomson offers services related to the preparation and distribution of video content, whether in the form of physical media (principally analog film or digital versatile disc (DVD)) or electronic media). The Company also provides network services to broadcasters, retailers, cinema exhibitors and other enterprises or network operators that aim to provide audiences/customers with video content. The business of the Services division include Content Services, Film Services and DVD Services (together referred to as physical media businesses), Electronic Distribution Services and Network Services.

Thomson offers a set of content creation, content completion and management services to M&E clients, in the theatrical (cinema), television and commercial/advertising segments. The range of services provided includes processing of daily film rushes and high definition digital dailies during filming, negative assembling, digital intermediate color-grading services, editing and the creation of masters, including those used for theatrical film release, post-theatrical release services (including video/format mastering, compression, authoring and asset management), DVD replication, broadcast television (covering all global standards, such as National Television System Committee (NTSC), phase alternation line (PAL) and High Definition) or for other forms of electronic distribution. The Company provides services in both analog and digital formats and the ability to move easily between both formats. The Company has developed digital media asset management solutions allowing the same storage, management and retrieval of content for distribution to multiple distribution channels. After the process of creating and preparing the content is complete, Thomson offers bulk-printing services for the release of a film to cinemas. The Company also provides logistical support in North America, delivering prints and studio marketing materials to cinemas.

Thomson provides end-to-end packaged media services to content owners. Thomson prepares content and manufacture and distribute DVDs, video and game DVDs and compact discs (CDs) from 21 locations across North America, Europe and Australia. The Company provides a turnkey integrated solution for video and games content producers that spans mastering, manufacturing, packaging and distribution, including direct-to-retail, direct-to-consumer and returns handling, as well as procurement, information services and retail inventory management systems. In December 2006, Thomson had annual capacity to produce 1.8 billion DVDs supported by 5.1 million square feet of dedicated distribution space. Its main customers include Disney, Universal Studios, Paramount/DreamWorks and Microsoft.

The Company manages the SkyArc digital advertising network for exhibitors/cinemas, which are customers of its Screenvision joint venture. During 2006, it installed a limited number of screens for various exhibitors in North America, including Mann, National Amusements and Pacific Theatres for beta testing. It also entered into an agreement for the initial deployment of digital cinema screens for the Kinopolis cinemas in Belgium. The Company provides network services to broadcasters, retailers, cinema exhibitors and other enterprises that aim to provide their audiences/customers with video content. It assembles video programming and/or manage distribution through video networks on behalf of these customers. Thomson's Network Services operations comprise broadcast, Retail Media Networks and cinema advertising activities. Within Network Services, the Company's broadcast activity assembles programming and manages the playout of video content for broadcasters through playout facilities.

Systems

Systems division represented 45.9% of net revenues in 2006. The Systems division provides equipment and systems for the capture and processing of video content and for the distribution and delivery to the end consumer of content, particularly video content but also double, triple and quadruple play solutions (voice/data, voice/data/video and voice/data/video/mobility, respectively). The main customers of the division are broadcasters and network operators. It also distributes some telephony products through retail channels. Principal products include studio and professional cameras, film imaging and signal processing equipment, head-end encoders/decoders, broadcast servers, routers, softswitches, Internet protocol television (IPTV) software and customer premises equipment (CPE), such as set-top boxes (single, double and triple play), modems and gateways, and telephony products. The activities of this division include Broadcast & Networks comprising the Grass Valley broadcast and networks operations, and the Network Software activities, and Access Products comprising access products for satellite network operators, cable and terrestrial network operators, and products for telecom operators, plus the telephony products distributed generally through retail outlets.

The Grass Valley business provides products, systems design and integration expertise, as well as professional services for the global broadcast, film production, professional audio/video users and network provider industries, including cable, satellite and terrestrial broadcast and telecommunications. In 2006, Grass Valley's ViBE encoding system using motion picture experts group 4 (MPEG4) compression (based on chipsets developed by Grass Valley) was launched.

Cirpack is engaged in the supply of softswitches to telecom operators and Internet service providers (ISPs). The Network Software business develops voice switching platforms marketed under the CIRPACK brand. CIRPACK platforms are used by over 80 telecom service providers in more than 28 countries on three continents, including several European voice-over-Internet protocol (VoIP) services, such as Free.fr, T-Online and Telecom Italia. Cirpack equipment is designed for telecom operators and service providers in European Telecommunications Standards Institute (ETSI)-compliant regions, which include Asia, Latin America, Europe, Middle East and Africa.

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Through its Access Products activities, Thomson develops technologies and products for professional broadcasters and broadband network operators who deliver their content, video, voice and data to consumers. The Access Products organization serves four different customer groupings: products for satellite network operators, products for cable and terrestrial operators, products for telecom operators and telephony products sold through retail or resold by operators. Thomson shipped 11.1 million satellite set-top boxes in 2006, 2.0 million cable set-top boxes and 10 million access products for telecom operators.

Thomson designs and sells digital satellite set-top boxes (STBs) to satellite operators. Thomson offers a range of access platforms in standard definition and high-definition (HD), including STBs with hard disc recording capability (digital video recorders (DVRs)/ personal video recorders (PVRs)). In Europe, Thomson develops its business with BSkyB, Sogetel, Viacom and with Canal Satellite and TPS (which have merged). Thomson designs and sells cable set-top boxes (CSTB) and cable modems to major cable network operators, as well as digital terrestrial STBs to Pay-TV network operators. In addition to CSTBs, the Company's product range includes wireless cable gateways and embedded VoIP gateway solutions. Thomson's Telephony business sells residential, small office, and home office communications devices, such as telephone handsets and answering machines under the GE, RCA, Alcatel and THOMSON brand names.

Technology

Technology division represented 9.3% of net revenues in 2006. The Technology division comprises four activities: Research, Licensing, Silicon Solutions, Software & Technology Solutions. Research comprises the Company's corporate research activities. This operation interacts with the other divisions but further product development is undertaken within the relevant division. The division monetizes technology in three ways: through licensing, IC design and software development.

Thomson maintains a commitment to investing in a range of research initiatives to support and expand its product and service offerings and licensing programs. To respond to customer needs, Thomson focuses on five key technology domains for the M&E industries: video and audio compression, networking & communications, security, storage & recording, and signal acquisition & processing. The Company operates four system programs: content production and management (CP&M) for cinema; CP&M for broadcast; electronic content distribution (ECD) on broadband networks, and ECD on mobile networks. During 2006, the Company discontinued one of its previous technology domains, Imaging. In the area of content digitization, Thomson focuses on two technology domains: storage & recording and signal processing.

Thomson focuses on image capture, processing, and manipulation technologies that address the wide range of image qualities and applications found in the M&E industries, including movie formats, standard and high-definition television, and mobile video. Applications encompass conventional and digital cinema, broadcast studios, home cinema and the Internet. Thomson's research and development focuses on delivering image capture and processing equipment, and developing processing technologies.

Thomson develops storage and networking solutions for post-production and studio infrastructures, such as a dockable solid-state recorder and a hard disk portable storage unit for digital high-definition cameras, bandwidth storage area networks, and bandwidth wireless technology for television cameras and studios. Thomson's security program covers a range of applications for content producers, content owners and network operators. Thomson develops technology and systems solutions addressing workflow security in production and post-production environments, anti-piracy mechanisms, video and audio watermarking, protection for broadband and mobile content delivery.

Thomson develops licensing programs rather than licensing individual patents. Under its licensing programs, a licensor can obtain a license to use all of its intellectual property as it relates to a particular application (including patents which may be filed subsequent to granting of the license). The Company has over 950 licensing agreements across 23 licensing programs relating to a mix of video products and services. The Company has licensing agreements with almost all consumer electronics companies in the Americas, Europe and Asia.

Through the Silicon Solutions activities, the Company designs and develops silicon components to monetize in-house technological. Such components are used in digital subscriber line (DSL) modems and gateways, digital set-top boxes (decoders), CD players, professional cameras and encoders. The Company produces components for both its Systems division and for sale to other manufacturers. Silicon Solutions also includes the Company's tuner and remote control unit activities. The tuners business is carried out from three main sites: Boulogne (France), Villingen (Germany) and Singapore with manufacturing located at Batam (Indonesia).

Displays & CE Partnerships

In 2006, this division was responsible for managing the Company's CE relationships, in particular with TTE and its parent company, TCL Multimedia. At December 31, 2006, the Displays & CE Partnerships segment comprised principally the Company's sub-contract manufacturing operations for TVs situated at Angers, France and for displays components (cathodes, heaters and metal parts for cathode ray tubes) and decoders situated at Genlis, France. The Angers facility provides sub-contract manufacturing services to TTE since the creation of TTE and internally to the Systems division. The Genlis manufacturing operation provides research and development (R&D) services and producing components (cathodes, heaters and metal parts for cathode ray tubes) for Displays of the Videcon Group.

The Company competes with Ascent Media, Deluxe, ILM, Cinram, Disney, Universal Studios, Paramount/DreamWorks, Microsoft, Regal, Cinemark and AMC, Mediavision, Harmonic, Tandberg, Scientific Atlanta, Motorola, Avid, Harris, Panasonic, Sony, Humax, Pace, Philips, Samsung, Cisco Scientific-Atlanta, Arris, Siemens, Safran (Sagem), Huawei, ZyXEL, Panasonic, Uniden, V-Tech and Philips.

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Price Change

Percent Change

\$23.34USD**▼0.48****▼2.02%**[Independent Research](#) [Broker Research](#)[Back to the Company Overview](#)

Cisco Systems, Inc., incorporated in December 1984, designs, manufactures and sells Internet protocol (IP)-based networking and other products related to the communications and information technology industry, and provides services associated with these products and their use. The Company provides a line of products for transporting data, voice and video within buildings, across campuses and around the world. Its products, which include primarily routers, switches and products that the Company refers to as its advanced technologies, are installed at enterprises, public institutions, telecommunications companies, commercial businesses and personal residences. The Company conducts its business globally and are managed geographically in five segments: the United States and Canada; European Markets; Emerging Markets; Asia Pacific, and Japan. In December 2007, the Company completed its acquisition of Navini Networks, Inc.



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In November 2007, the Company completed the acquisition of Securent, Inc., a provider of policy management software for enterprises. In October 2007, the Company completed the acquisition of Latigent, LLC, a provider of Web-based business intelligence and analytics reporting solutions, focused on contact centers. With the close of the transaction, the Company will integrate Latigent's team and technologies into its Customer Contact Business Unit. In October 2007, Cisco Systems, Inc. completed the acquisition of Cognio, Inc., a wireless spectrum analysis and management for wireless networks. In June 2007, the Company completed the acquisition of two privately held companies: BroadWare Technologies, a provider of IP-based video surveillance software, and IronPort Systems, Inc. In May 2007, the Company completed the acquisition of WebEx Communications, Inc., a provider of on-demand collaboration applications. In April 2007, the Company completed the acquisition of NeoPath Networks. In March 2007, the Company completed the acquisition of Reactivity, Inc. Reactivity is an extensible markup language (XML) gateway provider. In January 2007, the Company completed the acquisition of Tivella, Inc. Tivella is a provider of digital signage software and systems.

Routing

Routers interconnect computer networks, moving information, such as data, voice and video from one network to another across metropolitan area networks (MANs) and wide area networks (WANs). The Company's routing products offer features designed to increase the intelligence, security, reliability, scalability and level of performance in the transmission of information and media-rich applications. It offers a range of routers, from core network infrastructure for service providers and large businesses to access routers for the service-rich branch office to home network deployments for telecommuters and consumers. Many of its routers host a range of services and advanced technologies, delivering integrated voice, video, data and mobility for homes and businesses.

Switching

Switching is used in buildings, campuses and data centers to build local area networks (LANs), across cities to build MANs and across great distances to build WANs. The Company's switching systems offer many forms of connectivity to end users, workstations and servers, and function as aggregators on LANs, MANs and WANs. Its systems employ several technologies, including Ethernet, gigabit Ethernet, 10-gigabit Ethernet, power over Ethernet, asynchronous transfer mode, packet over synchronous optical network and multi-protocol label switching. Many of its switches support an integrated set of advanced services, delivering an integrated network solution for the organization.

Advanced Technologies

Cisco Application Networking Services is a comprehensive portfolio of application networking solutions to enable the highly secure delivery of applications within data centers and across the WAN to remote and branch office users. Using technology to accelerate, maximize availability of, and secure both application traffic and computing resources, these solutions are designed to provide a framework to help ensure the deployment and delivery of business applications across the entire organization.

Home networking products connect different devices in the household, through wired or wireless connections, allowing users to share Internet access, printers, music, movies and games throughout the home. The Company's products include voice and data modems, routers, network cards, media adapters, Internet video cameras, network storage, universal serial bus (USB) adapters, and other products that enable customers to share an Internet connection or move digital content around their homes or small-office environments. These products are available from Linksys and Scientific-Atlanta and sold through select retailers, value-added resellers, online retailers, and e-commerce and service providers worldwide.

Hosted small business systems solution combines products and services designed to provide small businesses with voice and data networking, along with business applications and Internet access, through a single high-speed connection from a service provider. Hosted small-business systems include integrated voice and data products on the customer's premises combined with security, quality of service (QoS) provisions for voice-over-Internet Protocol (VoIP), and monitoring and management services, all hosted and delivered by the telecommunications provider.

Cisco security solutions include a range of information security products and services designed to protect critical information systems from unauthorized use, defend against attack and minimize the effect of Internet-borne worms, spam, viruses and other malware. Its Self-Defending Network integrates security into the network, adapts to new and evolving threats, and enables collaboration across all security elements. The Company offers numerous network security technologies embedded within its routers and switches, in standalone security appliances and as host-based software agents with central management and analysis. Its information security product and service offerings are designed to help ensure the end-to-end integrity of the information network, simplify operations, and lower total cost of ownership.

The Company provides storage area networking products that deliver multilayer, scalable and highly secure connectivity between servers and storage systems, including products, such as storage arrays and tape drives. Its products incorporate intelligent network features, such as advanced network security, traffic management, virtualization and tools that are designed for storing, retrieving, and protecting critical data.

Cisco Unified Communications integrate voice, video, data and mobile applications on fixed and mobile networks, delivering a media-rich collaboration experience to the workspace. Specific products include IP phones, client software, servers, and network appliances supporting call control, contact centers, messaging, conferencing, voice mobility and collaboration, including presence and preference information. These products are available as software, as standalone devices, and as integrated components in Cisco's routers and switches. Cisco Unified Communications are part of a solution that includes network infrastructure, security, wireless, management applications, lifecycle services, flexible deployment, outsourced management options and third-party applications. These products include the Web-based collaborative product offerings from the acquisition of WebEx Communications, Inc. (WebEx).

The Company's video systems consist primarily of digital set-top boxes and digital media technology products. Digital set-top boxes provide video entertainment services to consumers. They enable subscribers to access a variety of interactive digital television services developed either by Cisco or third parties. The Company's equipment includes standard-definition (SD) basic digital set-tops, data over cable system interface specification (DOCSIS) set-top gateway (DSG) digital set-tops, high-definition (HD) digital set-tops, digital video recorder (DVR) set-tops, high-definition digital video recorder (HD-DVR) set-tops, multi-room DVR set-tops, media center DVR set-tops and digital-only set-tops. Digital media technology products span a range of signal processing and headend capabilities, including reception, encoding or transcoding, transrating, multiplexing, ad insertion, switching and modulation. Deployment of these capabilities can help service providers and broadcast customers to deliver entertainment, information and communications services over their existing access networks. These products are sold primarily through Scientific-Atlanta.

The Company offers a variety of in-building and outdoor wireless networking products. These products include access points, wireless LAN controllers, wireless integrated switches and routers, wireless management software, wireless LAN clients and client software, bridges, antennas and accessories.

Other Products

The Company's other products are comprised primarily of cable access, service provider VoIP services and optical networking products. It provides optical networking products for both the enterprise and service provider markets. Scientific-Atlanta markets and sells analog and digital optoelectronics,

which may reside in a network operator's headend, in other facilities, such as distribution hubs and in optical nodes. Other products also include such emerging technologies as digital media products, physical security products and TelePresence.

The Company competes with Alcatel-Lucent, ARRIS Group, Inc., Aruba Networks, Inc., Avaya Inc., Brocade Communications Systems, Inc., Check Point Software Technologies Ltd., D-Link Corporation, LM Ericsson Telephone Company, Extreme Networks, Inc., F5 Networks, Inc., Force10 Networks, Inc., Fortinet Inc., Foundry Networks Inc., Hewlett-Packard Company, Huawei Technologies Co., Ltd, International Business Machines Corporation, Juniper Networks, Inc., Meru Networks, Inc., Microsoft Corporation, Motorola, Inc., NETGEAR, Inc., Nortel Networks Corporation, Riverbed Technology, Inc., Symantec Corporation, and Trapeze Networks, Inc.

[Back to the Company Overview](#)

FIND OUT MORE ABOUT CSCO.O

- [Ratio Comparison](#)
- [Officers & Directors](#)
- [Key Developments](#)

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EXHIBIT D



Scientific Atlanta, A Cisco Company

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About Us

Scientific Atlanta, which became a Cisco company on February 24, 2006, is changing the way consumers receive, use and enjoy a variety of entertainment, information and communication experiences provided by cable, telecom, wireless and satellite service providers.

The company is a leading supplier of transmission networks for broadband access to the home, set-tops, cable modems and digital interactive subscriber systems for video, high speed Internet and voice over IP (VoIP) networks, systems integration expertise, and worldwide customer service and support.

Founded: Both Scientific Atlanta and Cisco can trace their roots to academia. Scientific Atlanta was founded in 1951 by a group of engineering professors from the Georgia Institute of Technology, while Cisco's founders were computer scientists from Stanford University who started the company in 1984.

Employees: Scientific Atlanta's approximately 9,900 employees represented over 16 percent of Cisco's worldwide employee population of 61,535.

Locations:

Scientific Atlanta and Cisco have facilities around the world.

Scientific Atlanta, A Cisco Company World Headquarters

5030 Sugarloaf Parkway
Lawrenceville, GA 30044-2869, USA

[Map and Directions](#)

Contact: sales@sciatl.com

Scientific Atlanta, A Cisco Company Worldwide Locations

[North America Sales Offices](#)

[Latin America Sales Offices](#)

[EMEA Sales](#)

[Asia Pacific Sales Offices](#)

[Product Repair](#)

Stock Symbol: NASDAQ NM: CSCO (Common Stock)

Fiscal Year: The Cisco 2007 Fiscal year ends July 28, 2007.

[About Cisco Systems](#)

(Information as of 05/07/2007)



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EXHIBIT E

**Report
Printed:**
01/30/2008

Live Report : GPNE CORP

D-U-N-S® Number: 80-810-1526**Trade Names:** No trade names for this company.**Endorsement:** Julie.Sheehan@fr.com

D&B Address

Address	2556 Lemon Rd Unit B101 Honolulu, HI - 96815
Location Type	Single Location
Phone	808 384-2888
Fax	
Web	

Company Summary

Score Bar

PAYDEX®
NACommercial Credit Score
Class
3Financial Stress
Class
1Credit Limit - D&B
Conservative
\$750.00D&B Rating
--

D&B 3-month PAYDEX®

D&B has not received a sufficient sample of payment experiences to establish a PAYDEX® score for this company

D&B 12-month PAYDEX®

D&B has not received a sufficient sample of payment experiences to establish a PAYDEX® for this company

D&B Company Overview

This is a single location

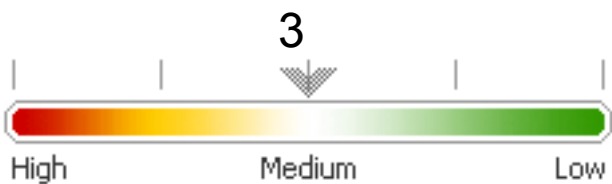
Chief Executive	GABRIEL WONG, CHM
Year Started	2006
Employees	8
SIC	8731 , 6794
Line of business	Commercial physical research, patent owner/ lessor
NAICS	541712
History Status	CLEAR

Public Filings

No public filings data is currently available.

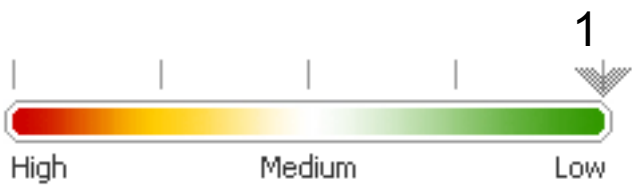
Commercial Credit Score Class

Medium risk of severe payment delinquency over next 12 months.

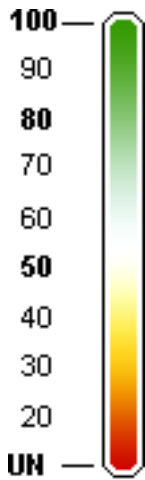


Financial Stress Score Class

Low risk of severe financial stress over the next 12 months.



PAYDEX® Trend Chart



D&B does not have enough information on this company to build a PAYDEX Trend Chart.

Corporate Linkage - Parent Company

News & Alerts

There are no alerts for this company in the last 30 days.

Financials Overview



There is no data available on the company for the sections you have configured for the Company Summary.

Predictive Indicators

Executive Summary

The Financial Stress Class of 1 for this company shows that firms with this classification had a failure rate of 1.2% (120 per 10,000), which is lower than the average of businesses in D & B's database

The Credit Score class of 3 for this company shows that 14.3% of firms with this classification paid one or more bills severely delinquent, which is lower than the average of businesses in D & B's database.

Predictive Scores	This Business	Comments
Financial Stress Class	1	Failure Rate lower than the average among businesses in D&Bs Database
Financial Stress Score	1330	Highest Risk: 1,001; Lowest Risk: 1,875
Credit Score Class	3	Probability of Severely Delinquent Payment is lower than the average of businesses in D & B's database.
Credit Score	431	Highest Risk: 101; Lowest Risk: 670

Other Key Indicators		
Industry Median		2 days beyond terms
Present management control		2 years
UCC Filings		UCC filing(s) are not reported for this business
Public Filings		No record of open Suit(s), Lien(s), or Judgment(s) in the D&B database
History		Is clear

Credit Capacity Summary

This credit rating was assigned because of D&B's assessment of the company's financial ratios and its cash flow. For more information, see the " [D&B Rating Key](#)".

D&B Rating Key: --

The blank rating symbol should not be interpreted as indicating that credit should be denied. It simply means that the information available to D&B does not permit us to classify the company within our rating key and that further enquiry should be made before reaching a decision. Some reasons for using a "-" symbol include: deficit net worth, bankruptcy proceedings, insufficient payment information, or incomplete history information.

Below is an overview of the company's rating history since 2007-10-17

D&B Rating	Date Applied
--	2007-10-17

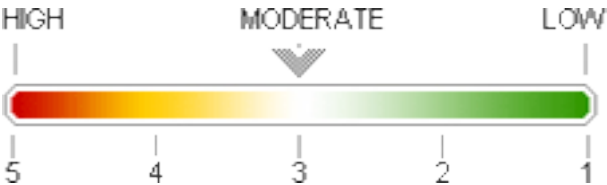
of Employees Total: 8

D&B Credit Limit Recommendation

This recommended Credit Limit is based on the company profile and on profiles of other companies with similarities in size, industry, and credit usage.

Conservative credit Limit \$750
Aggressive credit Limit: \$2,500

Risk category for this business : MODERATE



Risk is assessed using D&Bs scoring methodology and is one factor used to create the recommended limits. See Help for details.

Financial Stress Class Summary

Low risk of severe financial stress, such as bankruptcy, over the next 12 months.



The Financial Stress Class Summary Model predicts the likelihood of a firm ceasing business without paying all creditors in full, or reorganization or obtaining relief from creditors under state/federal law over the next 12 months. Scores were calculated using a statistically valid model derived from D&Bs extensive data files.

Incidence of Financial Stress:

Among Businesses with this Classification: **1.20 %** (120 per 10000)
Average of Businesses in D&Bs database: **2.60 %** (260 per 10000)
Financial Stress National Percentile : **29** (Highest Risk: 1; Lowest Risk: 100)
Financial Stress Score : **1330** (Highest Risk: 1001; Lowest Risk: 1875)

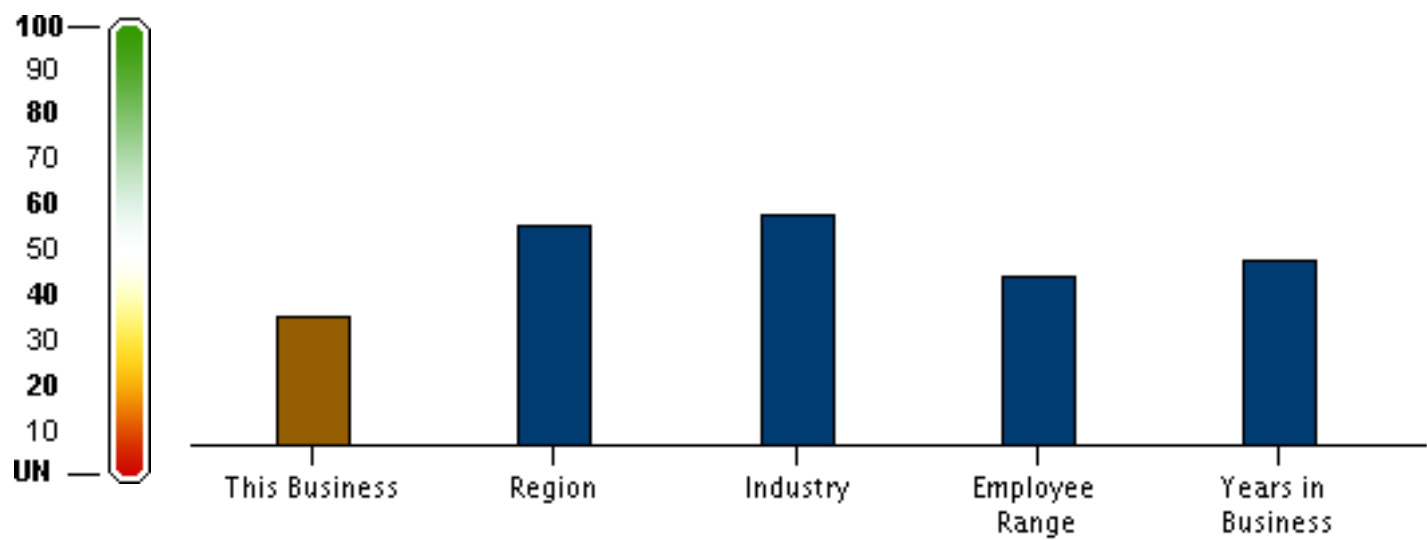
The Financial Stress Class of this business is based on the following factors:

- Payment information is unavailable in the Dun & Bradstreet files.
- No record of open suit(s), lien(s), or judgment(s) in the D & B files.

Notes:

- The Financial Stress Class indicates that this firm shares some of the same business and financial characteristics of other companies with this classification. It does not mean the firm will necessarily experience financial stress.
- The Incidence of Financial Stress shows the percentage of firms in a given Class that discontinued operations over the past year with loss to creditors. The Incidence of Financial Stress - National Average represents the national failure rate and is provided for comparative purposes.
- The Financial Stress National Percentile reflects the relative ranking of a company among all scorable companies in D&Bs file.
- The Financial Stress Score offers a more precise measure of the level of risk than the Class and Percentile. It is especially helpful to customers using a scorecard approach to determining overall business performance.
- All Financial Stress Class, Percentile, Score and Incidence statistics are based on sample data from 2004

Norms	National %
This Business	29
Region: PACIFIC	50
Industry: BUSINESS, LEGAL AND ENGINEERING SERVICES	52
Employee range: 1-9	38
Years in Business: 2-3	42



Region: **PACIFIC**

Industry: **BUSINESS, LEGAL AND ENGINEERING SERVICES**

Employee range: **1-9**

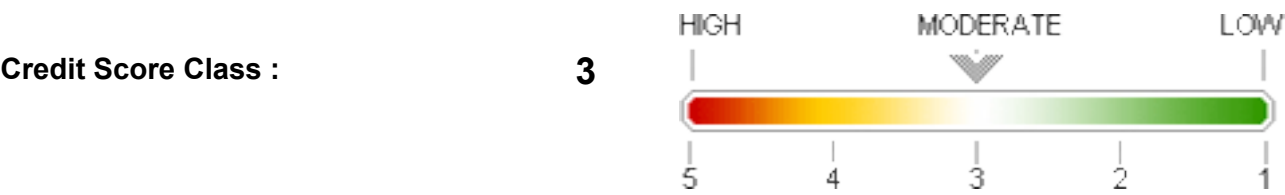
Years in Business: **2-3**

This Business has a Financial Stress Percentile that shows:

- Higher risk than other companies in the same region.
- Higher risk than other companies in the same industry.
- Higher risk than other companies in the same employee size range.
- Higher risk than other companies with a comparable number of years in business.

Credit Score Class Summary

Moderate risk of severe payment delinquency over next 12 months.



The Credit Score class predicts the likelihood of a firm paying in a severely delinquent manner (90+ Days Past Terms) over the next twelve months. It was calculated using statistically valid models and the most recent payment information in D&Bs files.

Incidence of Delinquent Payment

Among Companies with this Classification: **14.30 %**
Average compared to businesses in D&B's database: **20.10 %**
Credit Score Percentile : **46** (Highest Risk: 1; Lowest Risk: 100)
Credit Score : **431** (Highest Risk: 101; Lowest Risk:670)

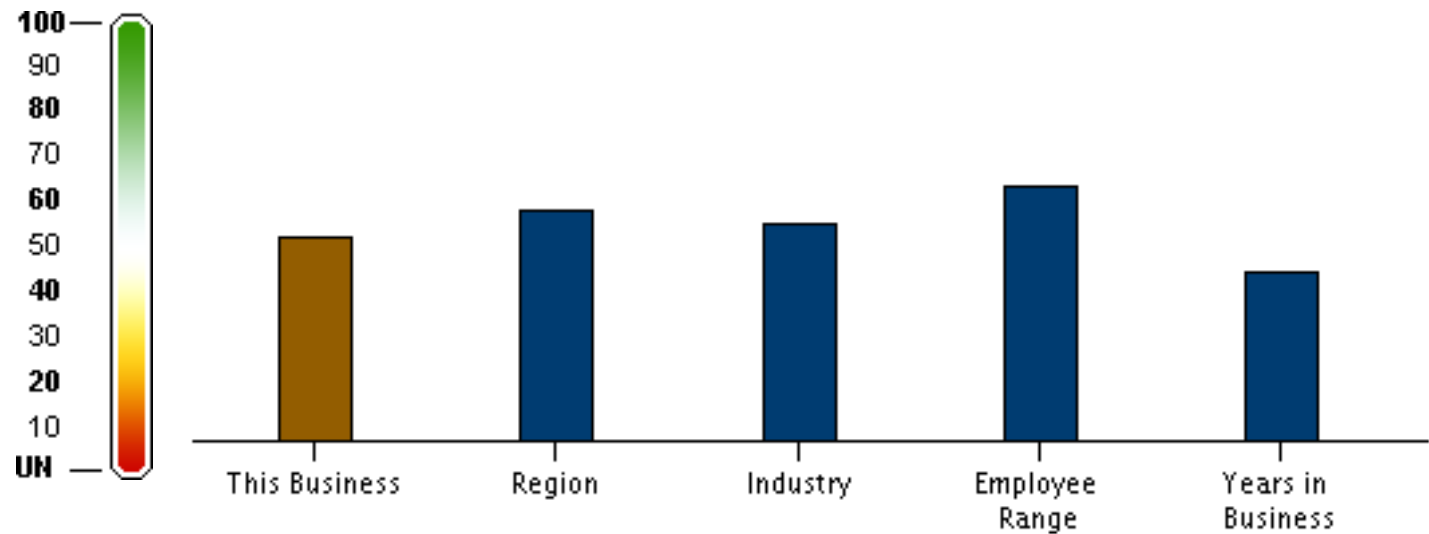
The Credit Score Class of this business is based on the following factors:

- Payment information is unavailable in the Dun & Bradstreet files.
- No record of open suit(s), lien(s), or judgment(s) in the D & B files.

Notes:

- The Credit Score Class indicates that this firm shares some of the same business and payment characteristics of other companies with this classification. It does not mean the firm will necessarily experience delinquency.
- The Incidence of Delinquent Payment is the percentage of companies with this classification that were reported 90 days past due or more by creditors. The calculation of this value is based on an inquiry weighted sample.
- The Percentile ranks this firm relative to other businesses. For example, a firm in the 80th percentile has a lower risk of paying in a severely delinquent manner than 79% of all scorable companies in D&Bs files.
- The Credit Score offers a more precise measure of the level of risk than the Class and Percentile. It is especially helpful to customers using a scorecard approach to determining overall business performance.
- All Credit Class, Percentile, Score and Incidence statistics are based on sample data from 2004

Norms	National %
This Business	46
Region: PACIFIC	52
Industry: BUSINESS, LEGAL AND ENGINEERING SERVICES	49
Employee range: 1-9	58
Years in Business: 2-3	38



Region: PACIFIC
Industry: BUSINESS, LEGAL AND ENGINEERING SERVICES
Employee range: 1-9
Years in Business: 2-3

This business has a Credit Score Percentile that shows:

Higher risk than other companies in the same region.

Higher risk than other companies in the same industry.
Higher risk than other companies in the same employee size range.
Lower risk than other companies with a comparable number of years in business.

Trade Payments

D&B PAYDEX® Summary

Timeliness of historical payments for this company.

Current PAYDEX is Unavailable
Industry Median is 79 Equal to 2 days beyond terms
Payment Trend currently is Unavailable, compared to payments three months ago

Indications of slowness can be the result of dispute over merchandise, skipped invoices etc. Accounts are sometimes placed for collection even though the existence or amount of the debt is disputed.

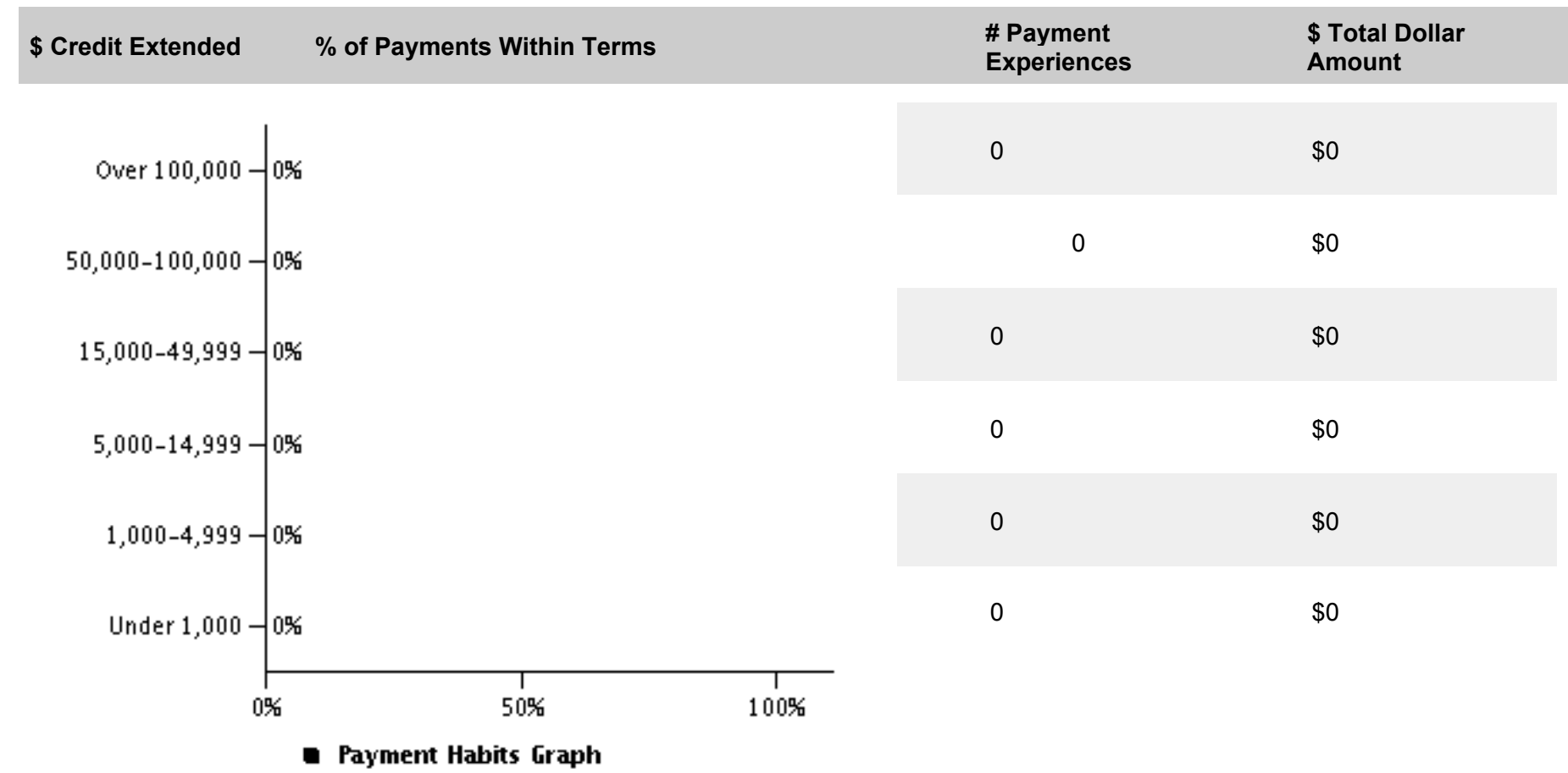
Total payment Experiences in D&Bs File N/A
Payments Within Terms (not dollar weighted) N/A
Total Placed For Collection N/A
Average High Credit N/A
Largest High Credit N/A
Highest Now Owing N/A
Highest Past Due N/A

D&B PAYDEX®

D& has not received a sufficient sample of payment experiences to establish a PAYDEX® score.D&B receives nearly 400 million payment experiences each year. We enter these new and updated experiences into D&B Reports as this information is received. At this time, none of those experiences relate to this company.

Payment Habits

For all payment experiences within a given amount of credit extended, shows the percent that this Business paid within terms. Provides number of experiences to calculate the percentage, and the total credit value of the credit extended.



Based on payments collected over last 12 months.

Payment experiences reflect how bills are met in relation to the terms granted. In some instances, payment beyond terms can be the result

Payment Details

D&B has not received a sufficient sample of payment experiences to establish a PAYDEX score.D& receives nearly 400 million payment experiences each year. We enter these new and updated experiences into D&B Reports as this information is received. At this time, none of those experiences relate to this company.

Public Filings

Summary

A check of D&B's public records database indicates that no filings were found for GPNE CORP at 2556 Lemon Rd Unit B101 , Honolulu HI .

D&B's extensive database of public record information is updated daily to ensure timely reporting of changes and additions. It includes business-related suits, liens, judgments, bankruptcies, UCC financing statements and business registrations from every state and the District of Columbia, as well as select filing types from Puerto Rico and the U.S. Virgin Islands.

D&B collects public records through a combination of court reporters, third parties and direct electronic links with federal and local authorities. Its database of U.S. business-related filings is now the largest of its kind.

Government Activity

Activity summary

Borrower (Dir/Guar)	NO
Administrative Debt	NO
Contractor	NO
Grantee	NO
Party excluded from federal program(s)	NO

Possible candidate for socio-economic program consideration

Labour Surplus Area	N/A
Small Business	YES (2007)
8(A) firm	N/A

The details provided in the Government Activity section are as reported to Dun & Bradstreet by the federal government and other sources.

Special Events

Special Events

History and Operations

Company Overview

Company Name:	GPNE CORP
Street Address:	2556 Lemon Rd Unit B101 Honolulu , 96815
Phone:	808-384-2888

History

The following information was reported: 10/16/2007

Officer(s):	GABRIEL WONG, CHM EDWIN WONG, CEO ERNEST BODNER, COO
DIRECTOR(S) :	THE OFFICER(S)

This is a Corporation formed in Hawaii on December 1, 2006.

Business started 2006. 51% of capital stock is owned by Gabriel Wong.

GABRIEL WONG. Antecedents are undetermined.

ERNEST BODNER. Antecedents are undetermined.

EDWIN WONG. Antecedents are undetermined.

Operations

10/16/2007	
Description:	Engaged in commercial physical and biological research. Operates as a patent owner or lessor, specializing in patent buying, licensing, leasing.
Employees:	Terms are undetermined. Sells to commercial concerns. Territory : International.
Facilities:	8 which includes officer(s) and 5 part-time.
Location:	Leases 400 sq. ft. in a building.
	Central business section on main street.

SIC & NAICS

SIC:	
	Based on information in our file, D&B has assigned this company an extended 8-digit SIC. D&Bs use of 8-digit SICs enables us to be more specific to a companys operations that if we use the standard 4-digit code.
	The 4-digit SIC numbers link to the description on the Occupational Safety & Health Administration (OSHA) Web site. Links open in a new browser window.
8731 0000	Commercial physical research
6794 9903	Patent buying, licensing, leasing
NAICS:	
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)
533110	Owners and Lessors of Other Non-Financial Assets

Financial Statements

Finance

Request Financial Statements

Request Financial Statements

Requested financials are provided by GPNE CORP and are not DUNSRight certified.

Key Business Ratios

D & B has been unable to obtain sufficient financial information from this company to calculate business ratios. Our check of additional outside sources also found no information available on its financial performance.

To help you in this instance, ratios for other firms in the same industry are provided below to support your analysis of this business.

Industry Norms Based On 23 Establishments

	This Business	Industry Median	Industry Quartile
Profitability			
Return on Sales	UN	0.5	UN
Return on Net Worth	UN	0.4	UN
Short-Term Solvency			
Current Ratio	UN	2.9	UN
Quick Ratio	UN	2.2	UN
Efficiency			
Assets / Sales	UN	48.1	UN
Sales / Net Working Capital	UN	4.5	UN
Utilization			
Total Liabilities / Net Worth	UN	61.2	UN

UN = Unavailable

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EXHIBIT F



Select Departing Flight

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The fare displayed is the lowest available for the dates requested; however some flights may not be in the cabin you requested.

Your Search by Price:

One Way

Depart: **Honolulu, HI (HNL)** Date: **Tue., Feb. 5, 2008** Time: **Anytime** Cabin: **Economy**
Arrive: **New York/Newark, NJ (EWR - Liberty)**

> [Start New Search](#)



Nonstop
from
\$1,146.77



Search tip:

To use US Helicopter service between Newark and Manhattan, select the [Wall Street \(JRB\)](#) or [Midtown Manhattan \(TSS\)](#) heliport.

Select Your Departing Flight for Tue., Feb. 5, 2008:

Price	Departing	Arriving	Travel Time	OnePass Miles
Nonstop flights from \$1,146.77				
LOWEST FARE From \$1,146.77 Select	Depart: 10:45 p.m. Tue., Feb. 5, 2008 Honolulu, HI (HNL)	Arrive: 1:10 p.m. +1 Day Wed., Feb. 6, 2008 New York/Newark, NJ (EWR - Liberty)	Travel Time: 9 hr 25 mn	OnePass Miles/ Elite Qualification: 4,962 / 150% Flight: CO14 Aircraft: Boeing 767-400ER Fare Class: Economy (Y) Meal: Snack View Seats

Start New Search:

From: Honolulu, HI (HNL)	Depart Date: 2/5/2008	Time: Anytime	Passenger Total: 1 Change Passengers Cabin: <input checked="" type="radio"/> Economy <input type="radio"/> First/BusinessFirst	Search By: <input checked="" type="radio"/> Price <input type="radio"/> Schedule <input checked="" type="checkbox"/> Nonstop Flights Only > Advanced Search
<input type="checkbox"/> Search Nearby Airports <input type="checkbox"/> Search for Lower Fares +/- 3 Days	<input type="button" value="Search"/>			

*OnePass frequent flyer mileage information is provided as a convenience to OnePass members. Elite miles is the percentage of OnePass miles earned towards Elite status when booked on continental.com. Actual flown miles will be posted to your account. Fare class, Elite and other promotional bonuses are not included in the totals listed. A minimum of 500 OnePass miles is earned for flights less than 500 miles in distance. For Amtrak train segments 250 OnePass miles is awarded for Economy Class and 325 OnePass miles for First Class.

Note: On-time performance information can also be ascertained by calling 1-800-231-0856. Outside the U.S. and Canada contact one of our [worldwide reservations offices](#).



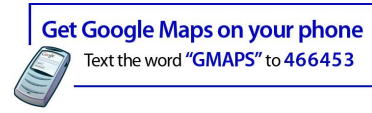
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EXHIBIT G



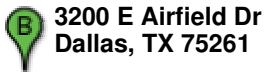
Start **100 E Houston St**
Marshall, TX 75670
End **3200 E Airfield Dr**
Dallas, TX 75261

Travel **170 mi** – about **2 hours 45 mins**, up to **3 hours**
40 mins in traffic

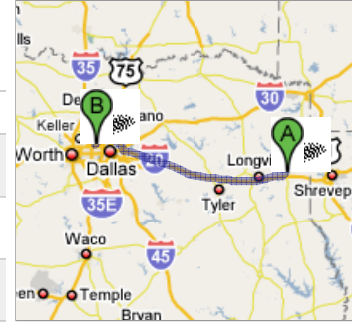


Drive: 170 mi – about 2 hours 45 mins, up to 3 hours 40 mins in traffic

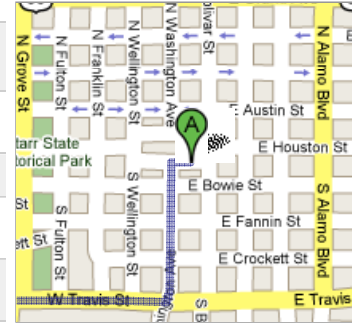
1. Head west on E Houston St toward S Washington Ave	157 ft
← 2. Turn left at S Washington Ave	0.2 mi 1 min
→ 3. Turn right at W Travis St	0.2 mi 1 min
← 4. Turn left at S Grove St	0.3 mi 1 min
5. Continue on Bomar St	0.7 mi 2 mins
→ 6. Turn right at W Pinecrest Dr/TX-43 Continue to follow TX-43	3.9 mi 6 mins
→ 7. Turn right to merge onto I-20 W	115 mi 1 hour 40 mins
8. Take exit 499A toward US-80 W/Dallas	0.5 mi
← 9. Slight left at TX-557-SPUR W	3.7 mi 4 mins
10. Continue on US-80 W	15.4 mi 16 mins
11. Take the exit onto I-635 N	23.3 mi 25 mins
12. Take exit 30 for President George Bush Turnpike S	1.0 mi 1 min
13. Merge onto President George Bush Turnpike Toll road	3.2 mi 3 mins
14. Continue on TX-161 S Toll road	0.4 mi
15. Take the exit toward Walnut Hill Ln	0.4 mi
16. Merge onto TX-161	0.5 mi 1 min
→ 17. Turn right at W Walnut Hill Ln	0.8 mi 2 mins
→ 18. Turn right at E Airfield Dr	0.4 mi 1 min



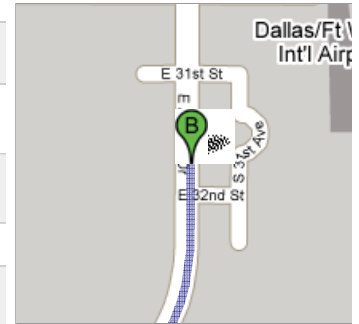
Overview



Start



End



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EXHIBIT H



RAND McNALLY

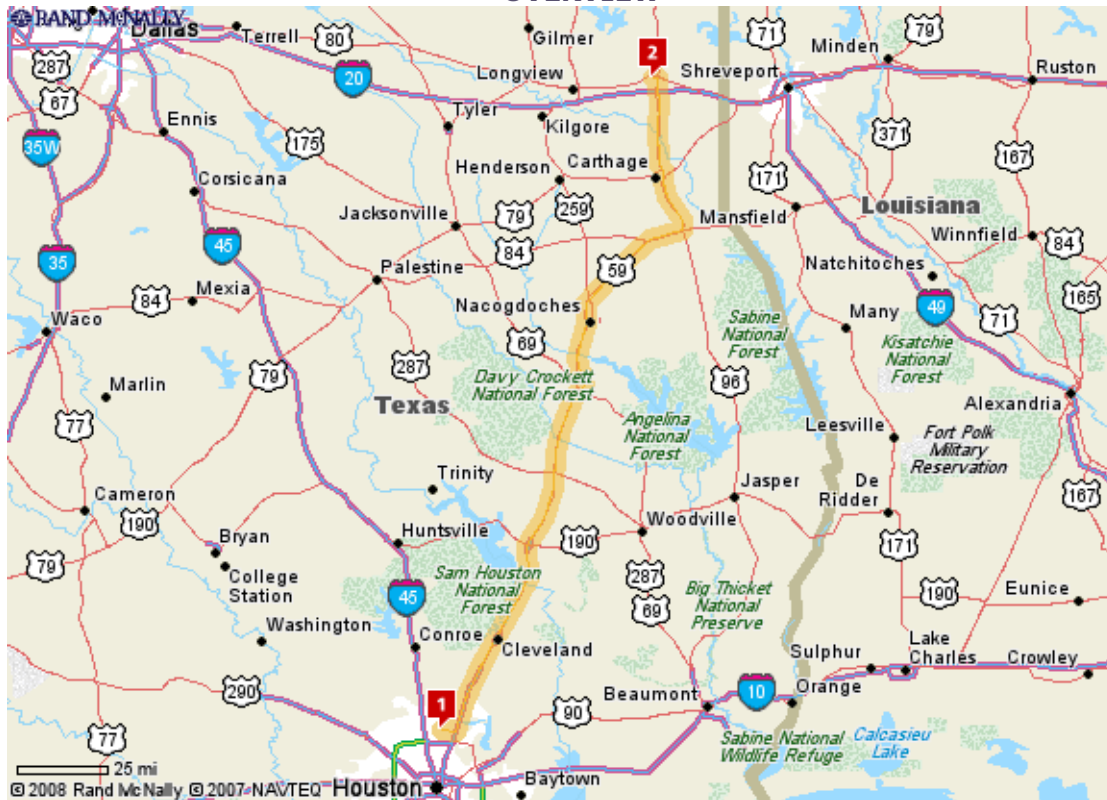
Back

ROUTE SUMMARY

- 1. Houston Intercontinental [IAH]**
2. 100 E Houston St, Marshall, TX 75670-4144

STEPS: 23 **EST. DRIVE TIME:** 3 hours, 55 minutes **EST. DISTANCE:** 212 miles

OVERVIEW



From : Houston Intercontinental [IAH] **To : 100 E Houston St**
Marshall , TX 75670-4144

- | | |
|---|-------------|
| 1. You are at Houston Intercontinental [IAH] | |
| 2. Go West on Terminal Rd N | < 0.1 miles |
| 3. Continue onto Bush Intercon'l Airport Rds | 0.2 miles |
| 4. Bear left onto Terminal Rd S | < 0.1 miles |
| 5. Continue onto JFK Blvd (John F Kennedy Blvd) | 0.4 miles |
| 6. Continue onto Will Clayton Pkwy | 4.0 miles |
| 7. Turn left onto Eastex Frwy Frontage Rd (US-59 Frontage Rd) | 0.8 miles |

8. Continue onto US-59 N (Eastex Frwy) 99.7 miles
9. Bear right onto S Medford Dr Frontage Rd 0.3 miles
10. Continue onto US-59 N (LOOP TX-287 E, S Medford Dr N) 5.8 miles
11. Continue onto US-59 N (US Highway 59 N) 1.7 miles
12. Continue onto US-59 53.9 miles
13. Take US-96 S (Center) ramp on right 0.2 miles
14. Turn left onto US-59 (US-96, ML Anderson Dr) 0.3 miles
15. Continue onto US-59 (ML Anderson Dr) 0.6 miles
16. Continue onto US-59 13.7 miles
17. Take US-59 N (US-79 N, Marshall, Shreveport) ramp on right 0.2 miles
18. Continue onto US-59 N (Lasalle Pkwy, SE Loop) 4.3 miles
19. Turn right onto US-59 N 25.2 miles
20. Turn left onto E Travis St 1.0 miles
21. Turn right onto S Bolivar St 0.2 miles
22. Turn left onto E Houston St < 0.1 miles
23. You are at 100 E Houston St, Marshall, TX 75670-4144

EST. DRIVE TIME: 3 hours, 55 minutes **EST. DISTANCE:** 212 miles



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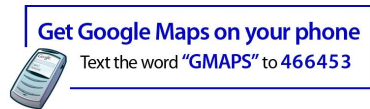
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EXHIBIT I



Start **Marriott-Newark Liberty Arprt**
1 Newark International Airport
Newark, NJ 07114
 End **844 N King St**
Wilmington, DE 19801
 Travel **116 mi – about 1 hour 57 mins**



Marriott-Newark Liberty Arprt
1 Newark International Airport
Newark, NJ 07114
 Drive: 116 mi – about 1 hour 57 mins

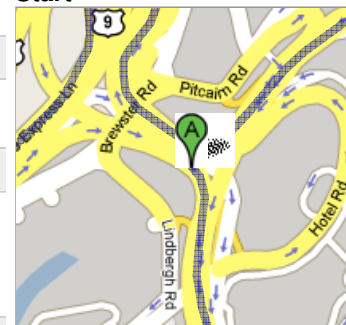
1. Head **southeast** 0.4 mi
1 min
- ← 2. Slight **left** (signs for **Terminals a C/Rental Car Returns/All Parking**) 0.3 mi
- ← 3. Slight **left** (signs for **Terminals a B/Rental Car Returns/All Parking/Airport exit**) 0.7 mi
1 min
- ← 4. Take the **US-1-9 S** ramp on the **left** to **New Jersey Turnpike S** 0.6 mi
1 min
5. Merge onto **US-1-9 Express Ln S/US-1 Express Ln S/US-9 Express Ln S** 0.7 mi
1 min
6. Take the ramp to **I-95/Dowd Ave/Elizabeth Seaport/N Ave/NJ Turnpike** 0.2 mi
7. Merge onto **RT-81 S** 1.1 mi
2 mins
Partial toll road
8. Take the **I-95 S/Turnpike S** ramp 190 ft
- ➔ 9. Keep **right** at the fork, follow signs for **Trucks-Buses/Cars** and merge onto **I-95 S/New Jersey Turnpike S** 101 mi
1 hour 35 mins
Continue to follow New Jersey Turnpike S
Partial toll road
10. Continue on **I-295 S** 5.6 mi
5 mins
Partial toll road
Entering Delaware
11. Take the exit onto **I-95 N** 3.7 mi
4 mins
12. Take exit **7** toward **Delaware Ave/SR-52** 0.2 mi
- ➔ 13. Turn **right** at **W 9th St** 0.6 mi
4 mins
- ➔ 14. Turn **right** at **N King St** 282 ft
1 min

844 N King St
Wilmington, DE 19801

Overview



Start



End



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EXHIBIT J



[Back](#)

ROUTE SUMMARY

1. Philadelphia International [PHL]
2. 844 N King St, Wilmington, DE 19801-3519

STEPS: 11 **EST. DRIVE TIME:** 30 minutes **EST. DISTANCE:** 22 miles

OVERVIEW



**From : Philadelphia International [PHL] To : 844 N King St
Wilmington , DE 19801-3519**

1. You are at Philadelphia International [PHL]
2. Go West on Philadelphia International Airport Rds < 0.1 miles
3. Turn left onto PA-291 W (Industrial Hwy) 1.1 miles
4. Turn right onto Bartram Av 1.2 miles
5. Continue onto I-95 S 19.1 miles
6. Take Exit 7A (SR-52 S, Delaware Av) on right 0.2 miles
7. Continue onto W 11th St 0.2 miles

8. Bear right onto Delaware Av 0.2 miles

9. Continue onto W 10th St 0.2 miles

10. Turn right onto BUS US-13 S (N King St) 0.1 miles

11. You are at 844 N King St, Wilmington, DE 19801-3519

EST. DRIVE TIME: 30 minutes

EST. DISTANCE: 22 miles




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EXHIBIT K



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Ranking	Number of Operations	Facility
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2	926973	Chicago/O'Hare Int'l. (ORD)
3	686711	Dallas/Ft. Worth Int'l. (DFW)
4	680954	Los Angeles International (LAX)
5	619941	Denver International (DEN)
6	619287	Las Vegas/Mc Carran Int'l. (LAS)
7	603641	Houston/G. Bush Intercont'l. (IAH)
8	539211	Phoenix Sky Harbor Int'l. (PHX)
9	525943	Charlotte/Douglas Int'l. (CLT)
10	499683	Philadelphia International (PHL)
11	467442	Detroit Metro Wayne Co. (DTW)
12	456835	John F. Kennedy Int'l. (JFK)
13	453566	Minneapolis-St. Paul Int'l. (MSP)
14	441908	Newark International (EWR)
15	420996	Salt Lake City Int'l. (SLC)
16	419127	Washington Dulles Int'l. (IAD)
17	401890	Boston/Logan International (BOS)
18	397280	La Guardia (LGA)
19	386367	Miami International (MIA)
20	379568	San Francisco Int'l. (SFO)
21	376528	Memphis International (MEM)
22	367860	Orlando International (MCO)
23	347046	Seattle Tacoma Int'l. (SEA)
24	328261	Covington/Cincinnati Int'l. (CVG)
25	307952	Ft. Lauderdale/Hollywood (FLL)
26	307112	Honolulu International (HNL)
27	304657	Chicago Midway (MDW)
28	299917	Anchorage International (ANC)
29	296639	Baltimore-Washington Int'l. (BWI)
30	279488	Washington National (DCA)
31	264518	Portland International (PDX)
32	258745	Tampa International (TPA)
33	256928	Lambert-St. Louis Int'l. (STL)
34	252679	Raleigh-Durham Int'l. (RDU)
35	245170	Cleveland Hopkins Int'l. (CLE)
36	237574	San Diego Int'l/Lindbergh (SAN)
37	236742	Houston Hobby (HOU)
38	218146	San Antonio International (SAT)
39	212998	Pittsburgh International (PIT)

40	212204	Nashville International (BNA)
41	208196	San Jose International (SJC)
42	203616	Indianapolis International (IND)
43	201236	Teterboro (TEB)
44	199996	White Plains/Westchester (HPN)
45	194959	Kansas City International (MCI)
46	190780	Albuquerque International (ABQ)
47	190463	Palm Beach International (PBI)
48	188965	San Juan International (SJU)
49	147889	Maui/Kahului (OGG)
50	147678	Ontario International (ONT)

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EXHIBIT L

Philadelphia International Airport PHL Guide: PHL Terminals, Airlines, Hotels, Rental Cars, Directions




PHILADELPHIA PHL

AIRPORT GUIDE

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 Air Jamaica
 AirTran
 America West
 American Airlines
 American Eagle
 British Airways Charter
 Continental
 Continental Express
 Delta Air Lines
 Delta Connection
 Frontier Airlines
 Lufthansa
 Midwest Express
 Northwest Airlines
 Southwest Airlines
 United Airlines
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 USA 3000
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 US Airways Express

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EXHIBIT M

CLOSED, MEDIATION

**I. U.S. District Court [LIVE]
Eastern District of TEXAS (Tyler)
CIVIL DOCKET FOR CASE #: 6:07-cv-00060-LED**

GPNE Corp. v. Time Warner Cable, Inc., et al
Assigned to: Judge Leonard Davis
Cause: 35:271 Patent Infringement

Date Filed: 01/31/2007
Date Terminated: 11/07/2007
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Mediator

James W Knowles

represented by **James W Knowles**
Wilson Robertson & Cornelius PC
909 ESE Loop 323
Suite 400
P.O. Box 7339
Tyler, TX 75711-7339
903/509-5000
Fax: 903/509-5092
Email: jwk@wilsonlawfirm.com
ATTORNEY TO BE NOTICED

Plaintiff

GPNE Corp

represented by **Edward W Goldstein**
Goldstein Faucett & Prebeg
1177 West Loop South
Suite 400
Houston, TX 77027
713/877-1515
Fax: 713/877-1145
Email: egoldstein@gfpiplaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Corby R Vowell
Goldstein Faucett & Prebeg
1177 West Loop South
Suite 400
Houston, TX 77027
713/877-1515
Fax: 713-877-1737

Email: cvowell@gfpiplaw.com
ATTORNEY TO BE NOTICED

Matthew Prebeg
Goldstein Faucett & Prebeg
1177 West Loop South
Suite 400
Houston, TX 77027
713-877-1515
Fax: 713-877-1145
Email: mprebeg@gfpiplaw.com
ATTORNEY TO BE NOTICED

Thomas John Ward, Jr
WARD & SMITH LAW FIRM
P O Box 1231
Longview, TX 75606-1231
903/757-6400
Fax: 903/7572323
Email: jw@jwfirm.com
ATTORNEY TO BE NOTICED

V.

Defendant

Time Warner Cable, Inc.

represented by **Allen Franklin Gardner**
Potter Minton PC
110 N College
Suite 500
PO Box 359
Tyler, TX 75710-0359
903/597-8311
Email:
allengardner@potterminton.com
ATTORNEY TO BE NOTICED

Daniel Reisner
Kaye Scholer - New York
425 Park Avenue
New York, NY 10022
212/836-8132
Fax: 212/836-6432
Email: dreisner@kayescholer.com
ATTORNEY TO BE NOTICED

David S Benyacar

Kaye Scholer - New York
425 Park Avenue
New York, NY 10022
212/836-8000
Fax: 212/836-8689
Email: dbenyacar@kayescholer.com
ATTORNEY TO BE NOTICED

Diane DeVasto

Potter Minton
110 N. College Street, Suite 500
Tyler, Tx 75702
903-597-8311
Fax: 903-593-0846
Email:
dianedevasto@potterminton.com
ATTORNEY TO BE NOTICED

Michael Edwin Jones

Potter Minton PC
110 N College
Suite 500
PO Box 359
Tyler, TX 75710-0359
903/597/8311
Fax: 9035930846
Email: mikejones@potterminton.com
ATTORNEY TO BE NOTICED

Defendant

**Comcast Cable Communications,
LLC**

represented by **Eric Hugh Findlay**

Ramey & Flock
100 East Ferguson
Ste 500
Tyler, TX 75702
903/597-3301
Fax: 9035972413
Email: efindlay@rameyflock.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Asim M Bhansali

Keker & Van Nest
710 Sansome St

San Francisco, CA 94111
415/676-2235
Fax: 415/397-7188
Email: abhansali@kvn.com
ATTORNEY TO BE NOTICED

Daralyn J Durie
Keker & Van Nest
710 Sansome St
San Francisco, CA 94111
415/391-5400
Fax: 415/397-7188
Email: ddurie@kvn.com
ATTORNEY TO BE NOTICED

Ryan M Kent
Keker & Van Nest
710 Sansome St
San Francisco, CA 94111
415/391-5400
Fax: 415/397-7188
Email: rkent@kvn.com
ATTORNEY TO BE NOTICED

Defendant

Charter Communications, Inc.

represented by **Dean Franklin**
Thompson Coburn - St Louis
One US Bank Plaza
27th Floor
St Louis, MO 63101
314-552-6038
Fax: 314-552-7038
Email:
dfranklin@thompsoncoburn.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Herbert A Yarbrough, III
Attorney at Law
100 E Ferguson
Suite 1015
Tyler, TX 75702
903/595-3111
Fax: 19035950191
Email: trey@yw-lawfirm.com

ATTORNEY TO BE NOTICED

Jason M Schwent

Thompson Coburn
One U.S. Bank Plaza
Suite 3500

St Louis, MO 63101-1693

314/552-6000

Fax: 314/552-7000

Email:

jschwent@thompsoncoburn.com

ATTORNEY TO BE NOTICED

Matthew A Rosenberg

Thompson Coburn - St Louis

One US Bank Plaza

27th Floor

St Louis, MO 63101

314-552-6007

Fax: 314-552-7007

Email:

mrosenberg@thompsoncoburn.com

ATTORNEY TO BE NOTICED

Defendant

Time Warner Inc

TERMINATED: 02/26/2007

Counter Claimant

**Comcast Cable Communications,
LLC**

V.

Counter Defendant

GPNE Corp

Counter Claimant

Charter Communications, Inc.

represented by **Jason M Schwent**

(See above for address)

ATTORNEY TO BE NOTICED

Matthew A Rosenberg
 (See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

GPNE Corp

II. Date Filed	III. #	IV. Docket Text
01/31/2007	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 350 receipt number 1010713.), filed by GPNE Corp. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Civil Cover Sheet # <u>3</u> List of Parties)(Ward, Thomas) (Entered: 01/31/2007)
01/31/2007	<u>2</u>	NOTICE by GPNE Corp of <i>Filing Patent/Trademark Form</i> (Attachments: # <u>1</u> AO120)(Ward, Thomas) (Entered: 01/31/2007)
01/31/2007	<u>3</u>	E-GOV SEALED SUMMONS Issued as to Time Warner Inc, Comcast Cable Communications, LLC, Charter Communications, Inc.. (Attachments: Summons # (1) Summons# (2) Summons)(rvw,) (Entered: 01/31/2007)
02/09/2007	<u>4</u>	Return of Service Executed as to Comcast Cable Communications, LLC on 2/8/2007, answer due: 2/28/2007. (mjc) (Entered: 02/13/2007)
02/09/2007	<u>5</u>	Return of Service Executed as to Charter Communications, Inc. on 2/5/2007, answer due: 2/26/2007. (mjc) (Entered: 02/13/2007)
02/26/2007	<u>6</u>	AMENDED COMPLAINT against all defendants, filed by GPNE Corp. (Attachments: # <u>1</u> Exhibit A)(Goldstein, Edward) (Entered: 02/26/2007)
02/26/2007	<u>7</u>	MOTION for Extension of Time to File Answer re <u>6</u> Amended Complaint <i>Unopposed Motion to Extend Time to Answer, Move or Otherwise Respond to the Complaint of Plaintiff</i> by Comcast Cable Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Findlay, Eric) (Entered: 02/26/2007)
02/26/2007	<u>8</u>	E-GOV SEALED SUMMONS Issued as to Time Warner Cable, Inc. (mjc) (Entered: 02/27/2007)

02/27/2007	<u>9</u>	ORDER granting <u>7</u> Motion for Extension of Time to Answer re <u>7</u> MOTION for Extension of Time to File Answer re <u>6</u> Amended Complaint <i>Unopposed Motion to Extend Time to Answer, Move or Otherwise Respond to the Complaint of Plaintiff</i> . Comcast Cable Communications' answer is due 3/28/07 . Signed by Judge Leonard Davis on 2/27/07. (mjc) (Entered: 02/27/2007)
02/27/2007		Set/Reset Deadlines: Comcast Cable Communications, LLC answer due 3/28/2007. (mjc) (Entered: 02/27/2007)
02/27/2007	<u>10</u>	NOTICE of Attorney Appearance by Herbert A Yarbrough, III on behalf of Charter Communications, Inc. (Yarbrough, Herbert) (Entered: 02/27/2007)
02/27/2007	<u>11</u>	Consent MOTION for Extension of Time to File Answer by Charter Communications, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Yarbrough, Herbert) (Entered: 02/27/2007)
02/28/2007	<u>12</u>	ORDER granting <u>11</u> Motion for Extension of Time to Answer re <u>11</u> Consent MOTION for Extension of Time to File Answer. Charter Communications answer is due 3/30/07. Signed by Judge Leonard Davis on 2/28/07. (mjc) (Entered: 02/28/2007)
02/28/2007		Set/Reset Deadlines: Charter Communications, Inc. answer due 3/30/2007. (mjc) (Entered: 02/28/2007)
03/05/2007	<u>13</u>	Return of Service Executed as to Time Warner Cable, Inc. on 2/27/2007, answer due: 3/19/2007. (mjc) (Entered: 03/06/2007)
03/19/2007	<u>14</u>	MOTION for Extension of Time to File Answer re <u>6</u> Amended Complaint [<i>Unopposed</i>] by Time Warner Cable, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Jones, Michael) (Entered: 03/19/2007)
03/21/2007	<u>15</u>	ORDER granting <u>14</u> Motion for Extension of Time to Answer re <u>14</u> MOTION for Extension of Time to File Answer re <u>6</u> Amended Complaint [<i>Unopposed</i>]. Time Warner Cable Inc.'s answer is due 3/30/07 . Signed by Judge Leonard Davis on 3/20/07. (mjc) (Entered: 03/21/2007)
03/21/2007		Set/Reset Deadlines: Time Warner Cable, Inc. answer due 3/30/2007. (mjc) (Entered: 03/21/2007)
03/28/2007	<u>16</u>	ANSWER to Amended Complaint, COUNTERCLAIM against GPNE Corp by Comcast Cable Communications, LLC.(Findlay, Eric) (Entered: 03/28/2007)
03/30/2007	<u>17</u>	<i>Defendant Time Warner Cable Inc.</i> 's ANSWER to Amended Complaint by Time Warner Cable, Inc..(DeVasto, Diane) (Entered: 03/30/2007)

03/30/2007	<u>18</u>	CORPORATE DISCLOSURE STATEMENT filed by Time Warner Cable, Inc. identifying Time Warner Inc. as Corporate Parent. (DeVasto, Diane) (Entered: 03/30/2007)
03/30/2007	<u>19</u>	<i>Charter Communications, Inc.</i> 's ANSWER to Complaint with Jury Demand, COUNTERCLAIM against GPNE Corp by Charter Communications, Inc..(Yarbrough, Herbert) (Entered: 03/30/2007)
04/03/2007	<u>20</u>	NOTICE of Attorney Appearance by Jason M Schwent on behalf of Charter Communications, Inc., Charter Communications, Inc. (Schwent, Jason) (Entered: 04/03/2007)
04/04/2007	<u>21</u>	NOTICE of Attorney Appearance by Dean Franklin on behalf of Charter Communications, Inc. (Franklin, Dean) (Entered: 04/04/2007)
04/10/2007	<u>22</u>	<i>Plaintiff's</i> ANSWER to Counterclaim of <i>Comcast Cable</i> by GPNE Corp.(Goldstein, Edward) (Entered: 04/10/2007)
04/10/2007	<u>23</u>	<i>Plaintiff's</i> ANSWER to Counterclaim of <i>Charter Communications</i> by GPNE Corp.(Goldstein, Edward) (Entered: 04/10/2007)
05/23/2007	<u>25</u>	APPLICATION to Appear Pro Hac Vice by Attorney Ryan M Kent for Comcast Cable Communications, LLC. (mll,) (Entered: 05/25/2007)
05/24/2007	<u>24</u>	APPLICATION to Appear Pro Hac Vice by Attorney Daralyn J Durie for Comcast Cable Communications, LLC. (mll,) (Entered: 05/24/2007)
05/29/2007	<u>26</u>	NOTICE of Attorney Appearance by Asim M Bhansali on behalf of Comcast Cable Communications, LLC (Bhansali, Asim) (Entered: 05/29/2007)
05/30/2007	<u>27</u>	CORPORATE DISCLOSURE STATEMENT filed by Charter Communications, Inc., Charter Communications, Inc. identifying None as Corporate Parent. (Schwent, Jason) (Entered: 05/30/2007)
06/04/2007	<u>28</u>	CORPORATE DISCLOSURE STATEMENT filed by Comcast Cable Communications, LLC identifying Comcast Holdings Corporation as Corporate Parent. (Findlay, Eric) (Entered: 06/04/2007)
06/13/2007	<u>29</u>	NOTICE of Attorney Appearance by Corby R Vowell on behalf of GPNE Corp (Vowell, Corby) (Entered: 06/13/2007)
06/13/2007	<u>30</u>	NOTICE of Attorney Appearance by Matthew Prebeg on behalf of GPNE Corp (Prebeg, Matthew) (Entered: 06/13/2007)
06/15/2007	<u>31</u>	APPLICATION to Appear Pro Hac Vice by Attorney Daniel Reisner for Time Warner Cable, Inc. (Approved 6/15/2007) Receipt 6-1-10082 (rvw,) (Entered: 06/15/2007)

06/19/2007	<u>32</u>	APPLICATION to Appear Pro Hac Vice by Attorney David S Benyacar for Time Warner Cable, Inc.. Receipt #6-1-0010111(fnt,) (Entered: 06/19/2007)
06/28/2007	<u>33</u>	NOTICE of Attorney Appearance by Allen Franklin Gardner on behalf of Time Warner Cable, Inc. (Gardner, Allen) (Entered: 06/28/2007)
08/15/2007	<u>34</u>	NOTICE of Hearing: Scheduling Conference set for 9/4/2007 10:00 AM before Judge Leonard Davis in Tyler. Proposed Discovery Order is Appendix A; Proposed Docket Control Order is Appendix B(mjc) (Entered: 08/15/2007)
08/21/2007	<u>35</u>	NOTICE of Attorney Appearance by Matthew A Rosenberg on behalf of Charter Communications, Inc., Charter Communications, Inc. (Rosenberg, Matthew) (Entered: 08/21/2007)
08/24/2007	<u>36</u>	NOTICE by GPNE Corp, Time Warner Cable, Inc., Comcast Cable Communications, LLC, Charter Communications, Inc. of <i>Agreement Concerning Proposed Discovery Order and Proposed Docket Control Order</i> (Attachments: # <u>1</u> Proposed Discovery Order# <u>2</u> Proposed Docket Control Order)(Gardner, Allen) (Entered: 08/24/2007)
08/28/2007	<u>37</u>	SCHEDULING ORDER: Final Pretrial Conference set for 2/19/2009 09:00 AM before Judge Leonard Davis. Amended Pleadings due by 5/22/2008. Discovery due by 11/10/2008. Identify trial witnesses by 11/24/2008 Jury instructions due by 1/5/2009 Jury Selection set for 3/2/2009 09:00AM before Judge Leonard Davis. Mediation Completion due by 7/1/2008. Proposed Pretrial Order due by 1/5/2009.. Signed by Judge Leonard Davis on 8/28/07. (mjc) (Entered: 08/28/2007)
08/28/2007		Set/Reset Hearings: Jury Trial set for 3/9/2009 09:00 AM before Judge Leonard Davis. Markman Hearing set for 8/7/2008 09:30 AM before Judge Leonard Davis. (mjc) (Entered: 08/28/2007)
08/28/2007	<u>38</u>	DISCOVERY ORDER entered in furtherance of the management of the Court's docket under FRCP 16. Signed by Judge Leonard Davis on 8/28/07. (mjc) (Entered: 08/28/2007)
08/30/2007	<u>39</u>	ORDER REFERRING CASE to Mediator. James W Knowles rep by James W Knowles added as Mediator. Round One of mediation is to be completed by 7/1/08. The mediator has the authority to convene subsequent meetings after that date. Mediation documents included as Appendix A. Signed by Judge Leonard Davis on 8/29/07. (mjc) (Entered: 08/30/2007)
09/19/2007	<u>40</u>	MOTION for Extension of Time to File <i>/Serve Patent LR 3-1 and 3-2 Disclosures (UNOPPOSED)</i> by GPNE Corp. (Attachments: # <u>1</u> Text

		of Proposed Order)(Ward, Thomas) (Entered: 09/19/2007)
09/21/2007	<u>41</u>	NOTICE of Disclosure by GPNE Corp <i>of Service of Asserted Claims and Infringement Contentions</i> (Goldstein, Edward) (Entered: 09/21/2007)
09/24/2007	<u>42</u>	ORDER granting <u>40</u> Motion for Extension of Time to Serve Patent LR 3-1 and 3-2 Disclosures to 9/21/07. Signed by Judge Leonard Davis on 9/20/07. (mjc) (Entered: 09/24/2007)
11/05/2007	<u>43</u>	Joint MOTION to Enter Stipulation and Order by GPNE Corp, Time Warner Cable, Inc., Comcast Cable Communications, LLC, Charter Communications, Inc.. (Attachments: # <u>1</u> Text of Proposed Order and Stipulation of Dismissal Without Prejudice)(Gardner, Allen) (Entered: 11/05/2007)
11/07/2007	<u>44</u>	ORDER DISMISSING CASE WITHOUT PREJUDICE due to settlement. All claims and counterclaims are dismissed without prejudice as to the Plaintiff and each of the Defendants. Each party shall bear its own costs. Signed by Judge Leonard Davis on 11/6/07. (mjc) (Entered: 11/07/2007)

EXHIBIT N

**I. U.S. District Court [LIVE]
Eastern District of TEXAS (Tyler)
CIVIL DOCKET FOR CASE #: 6:07-cv-00059-LED**

GPNE Corp v. Samsung Telecommunications America,
L.P., et al
Assigned to: Judge Leonard Davis
Cause: 35:271 Patent Infringement

Date Filed: 01/31/2007
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Mediator

James W Knowles

represented by **James W Knowles**
Wilson Robertson & Cornelius PC
909 ESE Loop 323
Suite 400
P.O. Box 7339
Tyler, TX 75711-7339
903/509-5000
Fax: 903/509-5092
Email: jwk@wilsonlawfirm.com
ATTORNEY TO BE NOTICED

Plaintiff

GPNE Corp

represented by **Edward W Goldstein**
Goldstein Faucett & Prebeg
1177 West Loop South
Suite 400
Houston, TX 77027
713/877-1515
Fax: 713/877-1145
Email: egoldstein@gfpiplaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Corby R Vowell
Goldstein Faucett & Prebeg
1177 West Loop South
Suite 400
Houston, TX 77027
713/877-1515
Fax: 713-877-1737
Email: cvowell@gfpiplaw.com
ATTORNEY TO BE NOTICED

Matthew Prebeg
Goldstein Faucett & Prebeg
1177 West Loop South
Suite 400
Houston, TX 77027
713-877-1515
Fax: 713-877-1145
Email: mprebeg@gfpiplaw.com
ATTORNEY TO BE NOTICED

Thomas John Ward, Jr
WARD & SMITH LAW FIRM
P O Box 1231
Longview, TX 75606-1231
903/757-6400
Fax: 903/7572323
Email: jw@jwfir.com
ATTORNEY TO BE NOTICED

V.

Defendant

**Samsung Telecommunications
America, L.P.,**

represented by **Jeffrey Kirk Sherwood**
Akin Gump Strauss Hauer & Feld -
Washington
1333 New Hampshire Ave NW
Suite 400
Washington, DC 20036
202-887-4000
Fax: 202-887-4288
Email: jsherwood@akingump.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amanda R Johnson
Akin Gump Strauss Hauer & Feld -
Washington
1333 New Hampshire Ave NW
Suite 400
Washington, DC 20036
202/887-4000
Fax: 202/887-4288
Email: arjohnson@akingump.com
ATTORNEY TO BE NOTICED

Frank C Cimino

Akin Gump Strauss Hauer & Feld -
Washington
1333 New Hampshire Ave NW
Suite 400
Washington, DC 20036
202/887-4000
Fax: 202/887-4288
Email: fcimino@akingump.com
ATTORNEY TO BE NOTICED

Jin-Suk Park

Akin Gump Strauss Hauer & Feld -
Washington
1333 New Hampshire Ave NW
Suite 400
Washington, DC 20036
202/887-4000
Fax: 202/887-4288
Email: jspark@akingump.com
ATTORNEY TO BE NOTICED

Defendant

**LG Electronics Mobilecomm
U.S.A., Inc.**
TERMINATED: 10/05/2007

represented by **Michael J McKeon**
Fish & Richardson PC - Washington
DC
1425 K St, NW
Suite 1100
Washington, DC 20005
202-626-6448
Fax: 202-783-2113
Email: mckeon@fr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian T Racilla

Fish & Richardson PC - Washington
DC
1425 K St, NW
Suite 1100
Washington, DC 20005
202/626-6428
Fax: 202/783-2331
Email: racilla@fr.com
ATTORNEY TO BE NOTICED

Diane DeVasto

Potter Minton
110 N. College Street, Suite 500
Tyler, Tx 75702
903-597-8311
Fax: 903-593-0846
Email:
dianedevasto@potterminton.com
ATTORNEY TO BE NOTICED

Michael Edwin Jones

Potter Minton PC
110 N College
Suite 500
PO Box 359
Tyler, TX 75710-0359
903/597/8311
Fax: 9035930846
Email: mikejones@potterminton.com
ATTORNEY TO BE NOTICED

Stephanie Deckter

Fish & Richardson PC - Washington
DC
1425 K St, NW
Suite 1100
Washington, DC 20005
202/783-5070
Fax: 202/783-2331
Email: deckter@fr.com
ATTORNEY TO BE NOTICED

Defendant

HTC America Inc

TERMINATED: 10/31/2007

represented by **Anup Tikku**

Kirkpatrick & Lockhart Preston Gates
Ellis - San Francisco
55 2nd Street
Suite 1700
San Francisco, CA 94105
415/882-8200
Fax: 415/882-8220
Email: anup.tikku@klgates.com
ATTORNEY TO BE NOTICED

Chien-Wei Chou

Kirkpatrick & Lockhart Preston Gates
Ellis - San Francisco
55 2nd Street
Suite 1700
San Francisco, CA 94105
415/882-8200
Fax: 415/882-8220
Email: chris.chou@klgates.com
ATTORNEY TO BE NOTICED

Eric M. Albritton

Attorney at Law
PO Box 2649
Longview, TX 75606
903/757-8449
Fax: 19037587397
Email: ema@emafirm.com
ATTORNEY TO BE NOTICED

Michael Bettinger

Kirkpatrick & Lockhart Preston Gates
Ellis - San Francisco
55 2nd Street
Suite 1700
San Francisco, CA 94105
415/882-8200
Fax: 4158828220
Email: mike.bettinger@klgates.com
ATTORNEY TO BE NOTICED

Counter Claimant

**Samsung Telecommunications
America, L.P.,**

represented by **Harry Lee Gillam, Jr**
Gillam & Smith, LLP
303 South Washington Avenue
Marshall, TX 75670
903-934-8450
Fax: 903-934-9257
Email: gil@gillamsmithlaw.com
ATTORNEY TO BE NOTICED

V.

Counter Defendant

GPNE Corp

Counter Claimant

HTC America Inc

TERMINATED: 10/31/2007

V.

Counter Defendant

GPNE Corp

Counter Claimant

LG Electronics Mobilecomm

U.S.A., Inc.

TERMINATED: 10/05/2007

V.

Counter Defendant

GPNE Corp

II. Date Filed	III. #	IV. Docket Text
01/31/2007	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 350 receipt number 1010655.), filed by GPNE Corp. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Civil Cover Sheet # <u>4</u> List of Parties)(Ward, Thomas) (Entered: 01/31/2007)
01/31/2007	<u>2</u>	NOTICE by GPNE Corp of <i>Filing Patent/Trademark Form</i> (Attachments: # <u>1</u> AO120)(Ward, Thomas) (Entered: 01/31/2007)
01/31/2007	<u>3</u>	E-GOV SEALED SUMMONS Issued as to Samsung Telecommnications America, L.P., LG Electronics Mobilecomm U.S.A., Inc., HTC America Inc. (Attachments: Summons # (1) Summons# (2) Summons)(rvw,) (Entered: 01/31/2007)
02/06/2007	<u>4</u>	NOTICE of Attorney Appearance by Matthew Prebeg on behalf of GPNE Corp (Prebeg, Matthew) (Entered: 02/06/2007)

02/06/2007	<u>5</u>	NOTICE of Attorney Appearance by Corby R Vowell on behalf of GPNE Corp (Vowell, Corby) (Entered: 02/06/2007)
02/07/2007	<u>6</u>	Return of Service Executed as to GPNE Corp on 2/1/2007, answer due: 2/21/2007. (mjc) (Entered: 02/08/2007)
02/09/2007	<u>7</u>	Return of Service Executed as to HTC America Inc on 2/3/2007, answer due: 2/23/2007. (mjc) (Entered: 02/13/2007)
02/21/2007	<u>8</u>	Agreed Motion for Extension of Time to File Response to the Complaint by GPNE Corp. and LGE by GPNE Corp. (Attachments: # <u>1</u> Text of Proposed Order)(Goldstein, Edward) Modified on 2/22/2007 (rvw,). (Entered: 02/21/2007)
02/23/2007	<u>9</u>	ORDER granting <u>8</u> Motion for Extension of Time to File Answer. Defendant LG Electronics answer is due 4/23/07. Signed by Judge Leonard Davis on 2/22/07. (mjc) (Entered: 02/23/2007)
02/23/2007		Set/Reset Deadlines: LG Electronics Mobilecomm U.S.A., Inc. answer due 4/23/2007. (mjc) (Entered: 02/23/2007)
02/28/2007	<u>10</u>	Return of Service Executed as to Samsung Telecommunications America, L.P., on 2/24/2007, answer due: 3/16/2007. (mjc) (Entered: 03/02/2007)
03/06/2007	<u>11</u>	MOTION for Extension of Time to File Answer <i>or otherwise respond</i> by HTC America Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Albritton, Eric) (Entered: 03/06/2007)
03/07/2007	<u>12</u>	ORDER granting <u>11</u> Motion for Extension of Time to Answer re <u>11</u> MOTION for Extension of Time to File Answer <i>or otherwise respond</i> to Original Complaint. Answer due 3/26/07. Signed by Judge Leonard Davis on 3/7/07. (mjc) (Entered: 03/07/2007)
03/07/2007		Set/Reset Deadlines: HTC America Inc answer due 3/26/2007. (mjc) (Entered: 03/07/2007)
03/15/2007	<u>13</u>	Consent MOTION for Extension of Time to File Answer by Samsung Telecommunications America, L.P.,. (Sherwood, Jeffrey) Additional attachment(s) added on 3/16/2007 (rvw,). (Entered: 03/15/2007)
03/19/2007	<u>14</u>	ORDER granting <u>13</u> Motion for Extension of Time to Answer re <u>13</u> Consent MOTION for Extension of Time to File Answer. Samsung's answer is due 4/16/07. Signed by Judge Leonard Davis on 3/16/07. (mjc) (Entered: 03/19/2007)
03/19/2007		Set/Reset Deadlines: Samsung Telecommunications America, L.P., answer due 4/16/2007. (mjc) (Entered: 03/19/2007)
03/20/2007	<u>15</u>	APPLICATION to Appear Pro Hac Vice by Attorney Jin-Suk Park for

		Samsung Telecommunications America, L.P. Fee pd., 6-1-9137. Approved 3/20/07. (mjc) (Entered: 03/20/2007)
03/20/2007	<u>16</u>	APPLICATION to Appear Pro Hac Vice by Attorney Frank C Cimino for Samsung Telecommunications America, L.P. Fee pd., 6-1-9136. Approved 3/20/07. (mjc) (Entered: 03/20/2007)
03/20/2007	<u>17</u>	APPLICATION to Appear Pro Hac Vice by Attorney Amanda R Johnson for Samsung Telecommunications America, L.P. Fee pd., 6-1-9135. Approved 3/20/07. (mjc) (Entered: 03/20/2007)
03/26/2007	<u>18</u>	MOTION for Extension of Time to File Answer <i>Unopposed Second Motion for Extension of time to answer or otherwise respond</i> by HTC America Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Albritton, Eric) (Entered: 03/26/2007)
03/27/2007	<u>19</u>	ORDER granting <u>18</u> Motion for Extension of Time to Answer re <u>18</u> MOTION for Extension of Time to File Answer <i>Unopposed Second Motion for Extension of time to answer or otherwise respond</i> . HTC has until 4/16/07 to file its answer . Signed by Judge Leonard Davis on 3/27/07. (mjc) (Entered: 03/27/2007)
04/11/2007	<u>20</u>	<i>Defendant Samsung Telecommunications America, L.L.C.'s Answer and Counterclaims</i> ANSWER to Complaint with Jury Demand, COUNTERCLAIM against GPNE Corp by Samsung Telecommunications America, L.P.,(Gillam, Harry) (Entered: 04/11/2007)
04/12/2007	<u>21</u>	NOTICE of Attorney Appearance by Michael Edwin Jones on behalf of LG Electronics Mobilecomm U.S.A., Inc. (Jones, Michael) (Entered: 04/12/2007)
04/12/2007	<u>22</u>	NOTICE of Attorney Appearance by Michael J McKeon on behalf of LG Electronics Mobilecomm U.S.A., Inc. (McKeon, Michael) (Entered: 04/12/2007)
04/12/2007	<u>23</u>	APPLICATION to Appear Pro Hac Vice by Attorney Stephanie Deckter for LG Electronics Mobilecomm U.S.A., Inc. Fee pd., 6-1-9413. Approved 4/13/07 (mjc) (Entered: 04/13/2007)
04/12/2007	<u>24</u>	APPLICATION to Appear Pro Hac Vice by Attorney Brian Racilla for LG Electronics Mobilecomm U.S.A., Inc. Fee pd., 6-1-9413. Approved 4/13/07 (mjc) (Entered: 04/13/2007)
04/16/2007	<u>25</u>	ANSWER to Complaint with Jury Demand, COUNTERCLAIM against GPNE Corp by HTC America Inc.(Albritton, Eric) (Entered: 04/16/2007)
04/16/2007	<u>26</u>	CORPORATE DISCLOSURE STATEMENT filed by HTC America Inc (Albritton, Eric) (Entered: 04/16/2007)

04/18/2007	<u>27</u>	CORPORATE DISCLOSURE STATEMENT filed by Samsung Telecommnications America, L.P., identifying Samsung Electronics Co., Ltd. as Corporate Parent. (Gillam, Harry) (Entered: 04/18/2007)
04/23/2007	<u>28</u>	<i>Defendant LG Electronics Mobilecomm USA, Inc.</i> 's ANSWER to Complaint with Jury Demand <i>and</i> , COUNTERCLAIM against GPNE Corp by LG Electronics Mobilecomm U.S.A., Inc..(Jones, Michael) (Entered: 04/23/2007)
04/23/2007	<u>29</u>	CORPORATE DISCLOSURE STATEMENT filed by LG Electronics Mobilecomm U.S.A., Inc. identifying LG Electronics Inc. as Corporate Parent. (Jones, Michael) (Entered: 04/23/2007)
04/26/2007	<u>30</u>	<i>Plaintiff's</i> ANSWER to Counterclaim of <i>Samsung Telecommunications</i> by GPNE Corp.(Goldstein, Edward) (Entered: 04/26/2007)
04/30/2007	<u>31</u>	<i>Plaintiff's</i> ANSWER to Counterclaim of <i>HTC America, Inc.</i> by GPNE Corp.(Goldstein, Edward) (Entered: 04/30/2007)
04/30/2007	<u>32</u>	<i>Plaintiff's</i> ANSWER to Counterclaim of <i>LG Electronics Mobilecomm USA, Inc.</i> by GPNE Corp.(Goldstein, Edward) (Entered: 04/30/2007)
05/03/2007	<u>33</u>	NOTICE of Hearing: Scheduling Conference set for 6/13/2007 10:30 AM before Judge Leonard Davis in Tyler. Proposed Discovery Order is Appendix A; Proposed Docket Control Order is Appendix B.(mjc) (Entered: 05/03/2007)
05/14/2007	<u>34</u>	APPLICATION to Appear Pro Hac Vice by Attorney Chien-Wei Chou for HTC America Inc. Fee pd., 6-1-9749. Approved 5/15/07 (mjc) (Entered: 05/15/2007)
05/14/2007	<u>35</u>	APPLICATION to Appear Pro Hac Vice by Attorney Michael Bettinger for HTC America Inc. Fee pd., 6-1-9749. Approved 5/15/07 (mjc) (Entered: 05/15/2007)
05/14/2007	<u>36</u>	APPLICATION to Appear Pro Hac Vice by Attorney Anup Tikku for HTC America Inc. Fee pd., 6-1-9749. Approved 5/15/07 (mjc) (Entered: 05/15/2007)
06/06/2007	<u>37</u>	STIPULATION of the Parties and Notice of Agreement by GPNE Corp. (Attachments: # <u>1</u> Exhibit A - Joint Proposed Discovery Order# <u>2</u> Exhibit B - Joint Proposed Docket Control Order)(Goldstein, Edward) (Entered: 06/06/2007)
06/08/2007	<u>38</u>	SCHEDULING ORDER: Final Pretrial Conference set for 2/19/2009 09:00 AM before Judge Leonard Davis. Discovery due by 11/10/2008. Identify trial witnesses by 11/24/2008. Jury instructions due by 12/26/2008. Jury Selection set for 3/2/2009 09:00AM before Judge Leonard Davis. Mediation Completion due by 6/30/2008. Proposed

		Findings of Fact due by 12/26/2008. Proposed Pretrial Order due by 12/26/2008. Signed by Judge Leonard Davis on 6/7/07. (mjc) (Entered: 06/08/2007)
06/08/2007		Set/Reset Hearings: Jury Trial set for 3/9/2009 09:00 AM before Judge Leonard Davis. Markman Hearing set for 8/7/2008 09:30 AM before Judge Leonard Davis. Scheduling Conference set for 6/13/2007 09:30 AM before Judge Leonard Davis. (mjc) (Entered: 06/08/2007)
06/08/2007	<u>39</u>	ORDER REFERRING CASE to Mediator. James W Knowles rep by James W Knowles added as Mediator. Mediation completion deadline is 6/30/08. Mediation packet is attached. Signed by Judge Leonard Davis on 6/8/07. (mjc) (Entered: 06/08/2007)
06/11/2007	<u>40</u>	DISCOVERY ORDER . Signed by Judge Leonard Davis on 6/11/2007. (rvw,) (Entered: 06/11/2007)
06/25/2007	<u>41</u>	NOTICE of Disclosure by GPNE Corp <i>re Disclosure of Asserted Claims and Preliminary Infringement Contentions and Document Production Accompany Disclosure</i> (Goldstein, Edward) (Entered: 06/25/2007)
06/26/2007	<u>42</u>	NOTICE of Attorney Appearance by Diane DeVasto on behalf of LG Electronics Mobilecomm U.S.A., Inc. (DeVasto, Diane) (Entered: 06/26/2007)
07/13/2007	<u>43</u>	NOTICE of Disclosure by LG Electronics Mobilecomm U.S.A., Inc. <i>of Initial Disclosures</i> (DeVasto, Diane) (Entered: 07/13/2007)
07/13/2007	<u>44</u>	NOTICE of Disclosure by HTC America Inc (Bettinger, Michael) (Entered: 07/13/2007)
07/16/2007	<u>45</u>	NOTICE of Disclosure by Samsung Telecommunications America, L.P., <i>Defendant, Samsung Telecommunications America L.L.C.'s Notice of Initial Disclosures</i> (Gillam, Harry) (Entered: 07/16/2007)
07/27/2007	<u>46</u>	MOTION for Extension of Time to File <i>Parties' Joint Motion for Extension of Time</i> by GPNE Corp, Samsung Telecommunications America, L.P., LG Electronics Mobilecomm U.S.A., Inc., HTC America Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Gillam, Harry) (Entered: 07/27/2007)
07/31/2007	<u>47</u>	ORDER granting <u>46</u> Motion for Extension of Time to File. ORDERED that the deadline for the following be extended to September 7, 2007: 1. Additional Initial Disclosures for claims other than those addressed in the Patent Rules (currently due July 30, 2007); 2. P.R. 3-3 Invalidity Contentions and accompanying P.R. 3-4 document production (currently due August 7, 2007); and 3. P.R. 4-1 Exchange proposed terms and claim elements for construction

		(currently due August 17, 2007). Signed by Judge Leonard Davis on 7/31/07. (fnt,) (Entered: 07/31/2007)
08/29/2007	<u>48</u>	MOTION to Amend/Correct <u>47</u> Order on Motion for Extension of Time to File,,, <u>38</u> Scheduling Order, by HTC America Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Albritton, Eric) (Entered: 08/29/2007)
08/30/2007	<u>49</u>	ORDER granting <u>48</u> Motion to Amend/Correct Docket Control Order as specified. Signed by Judge Leonard Davis on 8/30/07. (mjc) (Entered: 08/30/2007)
10/04/2007	<u>50</u>	STIPULATION of Dismissal <i>as to LG Electronics Mobilecomm U.S.A., Inc. ONLY</i> by GPNE Corp. (Attachments: # <u>1</u> Text of Proposed Order)(Goldstein, Edward) (Entered: 10/04/2007)
10/05/2007	<u>51</u>	ORDER granting <u>50</u> Stipulation of Dismissal filed by GPNE Corp. and LG Electronics Mobilecomm U.S.A., Inc. All claims and counterclaims between the two parties are dismissed with prejudice. LG Electronics Mobilecomm U.S.A., Inc. terminated. Signed by Judge Leonard Davis on 10/5/07. (mjc) (Entered: 10/05/2007)
10/08/2007	<u>52</u>	NOTICE of Disclosure by Samsung Telecommunications America, L.P., <i>Notice of Disclosures</i> (Gillam, Harry) (Entered: 10/08/2007)
10/08/2007	<u>53</u>	NOTICE of Disclosure by GPNE Corp <i>Service of Additional Disclosures and Terms and Claim Elements for Construction</i> (Goldstein, Edward) (Entered: 10/08/2007)
10/29/2007	<u>54</u>	STIPULATION of Dismissal <i>with Prejudice</i> by GPNE Corp, HTC America Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Albritton, Eric) (Entered: 10/29/2007)
10/31/2007	<u>55</u>	ORDER re <u>54</u> Stipulation of Dismissal filed by GPNE Corp, HTC America Inc. All claims between the parties are dismissed with prejudice. Costs shall be born by the party incurring them. Signed by Judge Leonard Davis on 10/31/07. (mjc) (Entered: 10/31/2007)
11/13/2007	<u>56</u>	STIPULATION : <i>Stipulated Protective Order</i> by GPNE Corp, Samsung Telecommunications America, L.P., (Goldstein, Edward) (Entered: 11/13/2007)
11/15/2007	<u>57</u>	STIPULATED PROTECTIVE ORDER entered in the interest of expediting discovery and protecting confidential information to the extent possible in accordance with the FRCP and Local Rules. Consent form attached as Exhibit A. Signed by Judge Leonard Davis on 11/14/07. (mjc) (Entered: 11/15/2007)

EXHIBIT O

Federal Court Management Statistics

2006

District Courts

Select A Court For This Report

TEXAS EASTERN

☐ Open in spreadsheet format

Generate

U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE

				12-MONTH PERIOD ENDING SEPTEMBER 30							
DELAWARE				2006	2005	2004	2003	2002	2001	Numerical Standing	
OVERALL CASELOAD STATISTICS	Filings*			1,077	1,190	1,797	1,362	2,028	1,004	U.S.	Circuit
	Terminations			1,419	1,448	1,516	1,507	1,478	1,020		
	Pending			1,501	1,853	2,085	1,836	1,999	1,477		
	% Change in Total Filings	Over Last Year		-9.5						74	6
		Over Earlier Years		-40.1	-20.9	-46.9	7.3	34	3		
Number of Judgeships				4	4	4	4	4	4		
Vacant Judgeship Months**				.0	.0	.0	1.9	3.1	.0		
ACTIONS PER JUDGESHIP	FILINGS	Total	270	298	449	340	507	251	82	5	
		Civil	233	264	414	306	462	233	73	5	
		Criminal Felony	30	28	29	25	38	18	88	5	
		Supervised Release Hearings**	7	6	6	9	7	-	87	4	
	Pending Cases			375	463	521	459	500	369	48	5
	Weighted Filings**			367	422	534	424	516	379	71	4
	Terminations			355	362	379	377	370	255	69	4
	Trials Completed			15	20	19	23	18	16	65	3
MEDIAN TIMES (months)	From Filing to Disposition	Criminal Felony	9.3	9.4	9.1	8.3	9.8	8.0	56	2	
		Civil**	16.8	10.9	14.0	11.2	8.2	12.6	91	5	
	From Filing to Trial** (Civil Only)			26.0	23.5	26.0	24.0	22.5	21.0	49	3
OTHER	Civil Cases Over 3 Years Old**	Number	142	156	65	66	99	77			
		Percentage	10.6	9.1	3.4	3.9	5.4	5.5	76	5	
	Average Number of Felony Defendants Filed Per Case			1.2	1.2	1.2	1.3	1.1	1.3		
	Jurors	Avg. Present for Jury Selection	39.60	39.82	38.50	34.98	33.84	32.68			
		Percent Not Selected or Challenged	24.1	22.8	20.9	24.0	24.4	19.9			

2006 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	930	32	6	233	12	6	20	76	52	160	132	51	150
Criminal*	117	-	26	14	29	20	-	2	5	10	2	-	9

* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

** See "[Explanation of Selected Terms.](#)"

U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE

				12-MONTH PERIOD ENDING SEPTEMBER 30							
TEXAS EASTERN				2006	2005	2004	2003	2002	2001	Numerical Standing	
OVERALL CASELOAD STATISTICS	Filings*			3,658	3,583	3,860	4,072	3,610	3,452	U.S.	Circuit
	Terminations			3,623	3,538	4,243	3,487	4,458	4,819		
	Pending			3,079	3,035	2,983	3,358	2,825	3,706		
	% Change in Total Filings	Over Last Year		2.1					14	2	
		Over Earlier Years		-5.2	-10.2	1.3	6.0	41	5		
Number of Judgeships				8	8	8	8	7	7		
Vacant Judgeship Months**				.0	.0	9.1	4.2	19.3	10.0		
ACTIONS PER JUDGESHIP	FILINGS	Total	457	448	483	509	515	493	38	6	
		Civil	375	376	411	431	444	427	27	5	
		Criminal Felony	82	72	71	77	70	66	36	3	
		Supervised Release Hearings**	0	0	1	1	1	-	-	-	
	Pending Cases			385	379	373	420	404	529	45	6
	Weighted Filings**			550	511	518	529	492	492	13	3
	Terminations			453	442	530	436	637	688	45	7
	Trials Completed			21	21	21	26	22	22	39	6
MEDIAN TIMES (months)	From Filing to Disposition	Criminal Felony	9.2	8.3	8.4	7.5	8.9	8.0	52	7	
		Civil**	9.0	10.3	6.5	10.9	15.0	30.9	39	5	
	From Filing to Trial** (Civil Only)			17.7	15.9	15.4	17.0	14.0	15.9	12	2
OTHER	Civil Cases Over 3 Years Old**	Number	80	64	47	41	58	881			
		Percentage	3.2	2.6	1.9	1.4	2.4	26.1	18	2	
	Average Number of Felony Defendants Filed Per Case			1.6	1.7	1.7	1.7	1.4	1.7		
	Jurors	Avg. Present for Jury Selection	36.89	34.27	33.92	32.49	32.40	32.25			
		Percent Not Selected or Challenged	30.1	30.2	32.5	33.5	33.3	35.6			

2006 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	3001	156	318	1276	27	27	94	282	217	253	227	2	122
Criminal*	650	10	188	79	195	66	14	22	16	24	12	11	13

* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

** See ["Explanation of Selected Terms."](#)

EXHIBIT P

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MARVELL SEMICONDUCTOR, et al.**Plaintiffs****vs.****COMMONWEALTH SCIENTIFIC AND
INDUSTRIAL RESEARCH
ORGANISATION****Defendants**

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**CASE NO. 6:07 CV 204
PATENT CASE**

DOCKET CONTROL ORDER

May 10, 2010 Court designated date – not flexible without good cause - Motion Required	9:00 a.m. JURY TRIAL as reached at the United States District Court, 211 W. Ferguson, 3rd Floor, Courtroom of Judge Leonard Davis, Tyler, Texas.
<i>Day of Trial</i>	<p>EXHIBITS & EXHIBIT LISTS: Each party is requested to provide the Court with an original and two courtesy copies of exhibits and exhibit lists. The Court's preferred format for Exhibit Lists is available on the Court's website at www.txed.uscourts.gov under "Judges' Orders & Information."</p> <p>If exhibits are voluminous, provide only specific pages that pertain to the issues on the two courtesy copies. The original exhibits that are agreed upon by the parties, should be ready to be tendered to the Clerk of the Court at the beginning of trial. Other exhibits that are admitted during trial should be tendered to the Clerk of the Court immediately after admission.</p> <p>The parties are further requested to have all exhibits labeled with the following information on each label: Designation of Plaintiff's or Defendant's Exhibit Number and Case Number. For example:</p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div data-bbox="526 1598 859 1761" style="border: 1px solid black; padding: 5px; width: 45%;"> <p style="text-align: center;">Plaintiff's Exhibit</p> <p>Exhibit No. _____</p> <p>Case No. _____</p> </div> <div data-bbox="976 1598 1308 1761" style="border: 1px solid black; padding: 5px; width: 45%;"> <p style="text-align: center;">Defendant's Exhibit</p> <p>Exhibit No. _____</p> <p>Case No. _____</p> </div> </div>

May 3, 2010 Court designated date – not flexible without good cause - Motion Required	9:00 a.m. JURY SELECTION at the United States District Court, 100 East Houston, Marshall, Texas 211 W. Ferguson, 3rd Floor, Courtroom of Judge Leonard Davis, Tyler, Texas.
April 22, 2010 Court designated date – not flexible without good cause - Motion Required	9:00 a.m. PRETRIAL CONFERENCE at the United States District Court, 211 W. Ferguson, 3rd Floor, Courtroom of Judge Leonard Davis, Tyler, Texas.
March 24, 2010	Parties to file estimates of the amount of time they request at jury selection and trial for (1) voir dire, (2) opening statements, (3) direct and cross examinations, and (4) closing arguments.
March 23, 2010	Motions in Limine due. The parties are directed to confer and advise the Court on or before 3:00 o'clock p.m. the day before the pre-trial conference which paragraphs are agreed to and those that need to be addressed at the pre-trial conference.
March 10, 2010	Pretrial Objections due.
March 6, 2010	Objections to Rebuttal Deposition Testimony due.
March 2, 2010	Rebuttal Designations and Objections to Deposition Testimony due. Cross examination line and page numbers to be included. In video depositions, each party is responsible for preparation of the final edited video in accordance with their parties' designations and the Court's rulings on objections.
February 19, 2010	Pretrial Disclosures due. Video and Stenographic Deposition Designation due. Each party who proposes to offer deposition testimony shall file a disclosure identifying the line and page numbers to be offered.
January 30, 2010	Joint Pretrial Order, Joint Proposed Jury Instructions with citation to authority and Form of the Verdict for jury trials due. Proposed Findings of Fact and Conclusions of Law with citation to authority for bench trials. Notice of Request for Daily Transcript or Real Time Reporting of Court Proceedings due. If a daily transcript or real time reporting of court proceedings is requested for trial or hearings, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Shea Sloan, at shea_sloan@txed.uscourts.gov.
December 11, 2009	Response to Dispositive Motions (including <i>Daubert</i> motions) due. Responses to dispositive motions filed prior to the dispositive motion deadline, including <i>Daubert</i> motions, shall be due in accordance with Local Rule CV-7(e).
November 24, 2009 Court designated date – not flexible without good cause – Motion Required	Dispositive Motions due from all parties and any other motions that may require a hearing (including <i>Daubert</i> motions); Motions for Summary Judgment shall comply with Local Rule CV-56.
November 21, 2009	Parties to Identify Rebuttal Trial Witnesses.

November 10, 2009	Parties to Identify Trial Witnesses; Amend Pleadings (after Markman Hearing). It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings. It is necessary to file a Motion for Leave to Amend after the deadline. However, except as provided in Patent Rule 3-6, if the amendment would effect infringement contentions or invalidity contentions, a motion must be made pursuant to Patent Rule 3-7 irrespective of whether the amendment is made prior to this deadline.
October 27, 2009	Discovery Deadline.
September 12, 2009	Parties designate rebuttal expert witnesses (non-construction issues), Rebuttal expert witness reports due. Refer to Local Rules for required information.
August 20, 2009	Parties with burden of proof designate expert witnesses (non-construction issues). Expert witness reports due. Refer to Local Rules for required information.
July 21, 2009	Comply with P.R.3-7 - Furnishing documents and privilege logs pertaining to willful infringement.
June 26, 2008	Markman Hearing at 9:30 a.m. at the United States District Court, 211 West Ferguson, 3rd Floor, Courtroom of Judge Leonard Davis, Tyler, Texas.
June 16, 2008	Parties shall jointly submit a claim construction chart on computer disk in WordPerfect format or in such other format as the Court may direct in accordance with P.R. 4-5(d).
June 12, 2008	Parties to file a notice with the Court stating the estimated amount of time requested for the <i>Markman</i> Hearing. The Court will notify the parties if it is unable to accommodate this request. Comply with P.R. 4-5(c) - Reply brief and supporting evidence due re response to claim construction. The moving party is to provide the Court with 2 binders containing their reply brief and exhibits appropriately tabbed. If a technical advisor has been appointed the moving party is to provide their brief on disk or CD along with a hard copy, tabbed and bound in notebook format with exhibits to the advisor.
June 5, 2008	Comply with P.R. 4-5(b) - Responsive brief and supporting evidence due to party claiming patent infringement. The moving party is to provide the Court with 2 binders containing their <i>Markman</i> brief and exhibits appropriately tabbed. If a technical advisor has been appointed the moving party is to provide their <i>Markman</i> brief on disk or CD along with a hard copy, tabbed and bound in notebook format with exhibits to the advisor.

May 22, 2008	Comply with P.R. 4-5(a) - The party claiming patent infringement shall serve and file an opening brief and any evidence supporting its claim construction. The moving party is to provide the Court with 2 binders containing their <i>Markman</i> brief and exhibits appropriately tabbed. If a technical advisor has been appointed the moving party is to provide their <i>Markman</i> brief on disk or CD along with a hard copy, tabbed and bound in notebook format with exhibits to the advisor.
May 14, 2008	Deadline for parties, if they desire, to provide Court with tutorials concerning technology involved in patent. If a technical advisor has been appointed, each party that provides a tutorial shall provide a copy to the advisor.
May 7, 2008	Discovery Deadline - Claim Construction Issues.
April 23, 2008	Respond to Amended Pleadings.
April 16, 2008	Parties to provide name, address, phone number, and curriculum vitae for three (3) agreed technical advisors and information regarding the nominees' availability for <i>Markman</i> hearing or a statement that they could not reach an agreement as to any potential technical advisor.
April 9, 2008	Amended Pleadings (pre-claim construction) due from all parties. It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings. It is necessary to file a Motion for Leave to Amend after the deadline. However, if the amendment would affect infringement contentions or invalidity contentions, a motion must be made pursuant to Patent Rule 3-7 irrespective of whether the amendment is made prior to this deadline.
April 4, 2008	Comply with P.R. 4-3 - Filing of Joint Claim Construction and Prehearing Statement.
March 5, 2008	Comply with P.R. 4-2 - Exchange of Preliminary Claim Constructions and Extrinsic Evidence. Privilege Logs to be exchanged by parties (or a letter to the Court stating that there are no disputes as to claims of privileged documents).
65 days from date on which CSIRO files its Answer, but no later than January 24, 2008	Comply with P.R. 4-1 - Exchange Proposed Terms and Claim Elements for Construction.

55 days from date on which CSIRO files its Answer, but no later than January 14, 2008	Comply with P.R. 3-3 - Invalidity Contentions due. Thereafter, it is necessary to obtain leave of Court to add and/or amend invalidity contentions, pursuant to Patent Rule 3-6. Add any inequitable conduct allegations to pleadings. It is not necessary to file a motion for leave to add inequitable conduct allegations to pleadings prior to this date. Thereafter, it is necessary to obtain leave of Court to add inequitable conduct allegations to pleadings.
15 days from date on which CSIRO files its Answer, but no later than December 3, 2007	Comply with P.R. 3-1 and P.R. 3-2 - Disclosure of Asserted Claims and Infringement Contentions due. Thereafter, it is necessary to obtain leave of Court to add and/or amend infringement contentions, pursuant to Patent Rule 3-6. Join Additional Parties. It is not necessary to file a motion to join additional parties prior to this date. Thereafter, it is necessary to obtain leave of Court to join additional parties. Add new patents and/or claims for patents-in-suit. It is not necessary to file a motion to add additional patents or claims prior to this date. Thereafter, it is necessary to obtain leave of Court to add patents or claims.
November 2007	Mediation to be completed. Mike Patterson is appointed as mediator in this cause. The mediator shall be deemed to have agreed to the terms of Court Ordered Mediation Plan of the United States District Court of the Eastern District of Texas by going forth with the mediation in accordance with this order. General Order 99-2.
5 days	EXPECTED LENGTH OF TRIAL

In the event that any of these dates fall on a weekend or Court holiday, the deadline is modified to be the next Court business day.

The parties are directed to Local Rule CV-7(d), which provides in part that “[i]n the event a party fails to oppose a motion in the manner prescribed herein the Court will assume that the party has no opposition.” Local Rule CV-7(e) provides that a party opposing a motion has 15 days in which to serve and file supporting documents and briefs after which the Court will consider the submitted motion for decision.

OTHER LIMITATIONS

- (a) All depositions to be read into evidence as part of the parties’ case-in-chief shall be EDITED so as to exclude all unnecessary, repetitious, and irrelevant testimony; ONLY those portions which are relevant to the issues in controversy shall be read into evidence.
- (b) The Court will refuse to entertain any motion to compel discovery filed after the date of this Order unless the movant advises the Court within the body of the motion that counsel for the parties have first conferred in a good faith attempt to resolve the matter. See Eastern District of Texas Local Rule CV-7(h).

- (c) The following excuses will not warrant a continuance nor justify a failure to comply with the discovery deadline:
- (i) The fact that there are motions for summary judgment or motions to dismiss pending;
 - (ii) The fact that one or more of the attorneys is set for trial in another court on the same day, unless the other setting was made prior to the date of this order or was made as a special provision for the parties in the other case;
 - (iii) The failure to complete discovery prior to trial, unless the parties can demonstrate that it was impossible to complete discovery despite their good faith effort to do so.

So ORDERED and SIGNED this 24th day of October, 2007.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**